

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಹೊರಗಡೆಯಿಂದ ಬಂದವರು ತಮಗೆ ಅನ್ಯಾಯವಾಗುತ್ತದೆ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಈ ವಿಷಯವನ್ನು ಸರಕಾರದ ಉನ್ನತ ಮಟ್ಟದಲ್ಲಿ ಪರಿಶೀಲನೆ ಮಾಡಲಾಗುವುದು.

ಶ್ರೀ ಎನ್. ಜಿ. ನರಸಿಂಹೇಗೌಡ.—ನೀನಿಯಾರಿಟಿ ಲಿಸ್ಟಿನ ಬಗ್ಗೆ ತಕರಾರು ಲೇಔಟ್‌ಗಳನ್ನು ಕಳಿಸಿಕೊಡಿ ಎಂದು ಕೇಳುವವರು ಕಮಿಷಿಯೋ ಅಥವಾ ಕ್ಯಾಬಿನೆಟ್ನೋ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—Objections call for ಮಾಡುವುದಿಲ್ಲ. Claims ಜನಾದರೂ ಇದ್ದರೆ ಪರಿಶೀಲನೆ ಮಾಡಲಾಗುವುದು.

ಶ್ರೀ ಎನ್. ಜಿ. ನರಸಿಂಹೇಗೌಡ.—ಇದನ್ನು ಯಾವ ತೀರ್ಮಾನ ಮಾಡುತ್ತಾರೆ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಕಮಿಷಿ ತೀರ್ಮಾನ ಮಾಡುವುದು.

Sri T. TARE GOWDA.—Will the committee hold an examination to test their integrity and efficiency?

Sri T. MARIAPPA.—It does not enter into this question. Only these principles will enter into the question of preparation of the seniority list.

ಶ್ರೀ ಎಸ್. ಆರ್. ರಾಮಯ್ಯ.—ನೀನಿಯಾರಿಟಿ ಲಿಸ್ಟ್ ತಯಾರು ಮಾಡುವಾಗ ಕ್ಯಾಲಿಫಿಕೇಷನ್ ಎಕ್ಸಾಂಪ್ಲಿಯಲ್ಲಿ ತೆಗೆದುಕೊಳ್ಳದೆ ಇರುವ ಮೂಲಕ ಇಲಾಖೆಗಳಲ್ಲಿಯೂ ನೌಕರರಿಗೆ ಅತ್ಯಲ್ಪ ಉಂಟಾಗಿದೆ ಎಂಬುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ?

ಅಧ್ಯಕ್ಷರು.—ಅದಕ್ಕೆ ಉತ್ತರ ಕೇಳಿದ್ದಾರೆ.

Dr. T. PARTHASARATHY.—Before the committee finishes the work of seniority list, I have come to understand that several officers are going to retire and will not be able to enjoy the benefits of the results arrived at by the committee. Is the Minister aware of this fact?

Sri T. MARIAPPA.—I am not aware of it. He may rest assured that posthumous recognition will certainly give them some benefit.

ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ನಂನ್ಯಾನದಾದಂತ ವಾಗಿ ನೌಕರರ ವಯಸ್ಸಿನ ಬಗ್ಗೆ ಹುಟ್ಟಿದ ತಾರೀಖುಗಳನ್ನು ಪರಿಶೀಲನೆ ಮಾಡುತ್ತೀರಾ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಈ ಪ್ರಶ್ನೆ ಉದ್ಭವಿಸುವುದಿಲ್ಲ.

Sri F. H. MOHSIN.—If the officers are aggrieved by the decision of the committee, is there a provision for appeal to some authority?

Sri T. MARIAPPA.—The Cabinet will certainly consider all such cases.

Mr. SPEAKER.—The question hour is over.

QUESTIONS FOR ANSWERS ON THE DAY

(but not taken up)

Release of Forest Lands for Cultivation in Kanakapura Taluk.

Q—1138. Sri S. KARIAPPA (Virupakshipura).—

Will the Government be pleased to state:—

(a) whether the Minister for Forests undertook a tour in Kanakapura taluk;

(b) whether this tour was undertaken on the request of somebody;

(c) the places he visited during the tour;

(d) whether it is a fact he was placed to order cultivation of forest lands in the taluk;

(e) whether they will enquire about the motives of the persons who invited him to undertake this tour, if the tour was on such request?

A.—Sri H. S. RUDRAPPA (Minister for Agriculture).—

(a) Yes.

(b) No.

(c) Maralawadi, Bantanal, Thuru-beedi, Kadasivanahalli, Bilidale, Bannimukkudlu, Singadidoddihalla, Mariyappanadoddi, Hosadurga, Kodihalli, Kanakapura.

(d) No.

(e) Does not arise.

MYSORE LOTTERIES AND PRIZE COMPETITIONS CONTROL AND TAX (AMENDMENT) BILL, 1957.

Motion to consider (continued)

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ (ಚಾಮರಾಜನಗರ).—
ಸ್ವಾಮಿ, ಈಗ ತಂದಿರತಕ್ಕ ಈ ಮಸೂದೆ . . .

Sri C. J. MUCKANNAPPA (Gubbi).—
On a point of order, Sir. Article 177 of the Constitution says:

“Every Minister and the Advocate-General for a State shall have the right to speak in, and otherwise to take part in the

proceedings of, the Legislative Assembly of the State or, in the case of a State having a Legislative Council, both Houses, and to speak in, and otherwise to take part in the proceedings of any committee of the Legislature of which he may be named a member, but shall not, by virtue of this article, be entitled to vote."

ಸ್ವಾಮಿ, ಮೈಸೂರು ಸಂಸಾನದ ಅಸೆಂಬ್ಲಿಯ ಸದಸ್ಯರಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಶ್ರೀ ಎತಿರಾಜುಲು ನಾಯು, ಅಡ್ವೋಕೇಟ್ ಜನರಲ್ ಇವರ ಹೆಸರು ಇದೆ. ಕಾನೂನುಬಾಹಿರ 177 ಅರ್ಟಿಕಲ್‌ದ ಪ್ರಕಾರ ಅವರು ಈ ಸಭೆಯ ಸದಸ್ಯರಾಗಿದ್ದಾರೆ. ಸದಸ್ಯರು 60 ದಿನದ ಸಭೆಗೆ ಬಾರದೇ ಹೋದರೆ ಸದಸ್ಯತ್ವ ಹೋಗುತ್ತದೆ. ರೂಲ್ ಆಫ್ ಪ್ರೊಸೀಜರ್ ಪ್ರಕಾರ ಗೈರ ಹಾಜರು ಇರಲು ಸಭೆಯ ಅನುಮತಿಯನ್ನು ಪಡೆಯಬೇಕಾಗುತ್ತದೆ.

ಅಧ್ಯಕ್ಷರು.—ಮಾನ್ಯ ಸದಸ್ಯರು ಹೇಳುತ್ತಿರುವುದು ಸಭೆಯ ಮುಂದೆ ಇರುವ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧ ಪಟ್ಟದ್ದಲ್ಲ. If he wants to make a motion, he should give notice

Sri C. J. MUCKANNAPPA.—It is a point of order.

Mr. SPEAKER.—It is not a point of order. It is not relevant to the subject matter before the House, and I overrule the point of order. If he wants to make a motion or raise a point of order which is not relevant to the subject matter before the House, it is better to give notice and then I will look into it. I request Hon'ble Members not to waste the precious time of the House in any way by raising unnecessary points of order.

Sri C. J. MUCKANNAPPA.—I am not going to the merits of the ruling given by you, Sir. Yesterday my Hon'ble friend Sri Madappa pointed out when he was speaking on this Bill that the Advocate-General was not present here. That is why I made this submission with all humility.

Mr. SPEAKER.—That is not relevant. What the Hon'ble Member Sri Madappa said was that he wanted the Advocate-General to come here and speak on this Bill. That was his desire. Of course, I have not upheld his desire. If I had done that, I would certainly have asked the Advocate-General to come here.

*ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಸ್ವಾಮಿ, ಎನ್ನಯ ದಿನದ ಅಡ್ವೋಕೇಟ್ ಜನರಲ್‌ರವರು

ಇದ್ದರೆ ಚರ್ಚಿಸುತ್ತಾ ಎನ್ನುವ ವಿಷಯ ಹೇಳಿದ್ದೇ ಈಗತಾನೆ ಅಧ್ಯಕ್ಷರು ಅದನ್ನು ಯಾರೂ ಸಮರ್ಪಿಸಿಲ್ಲ ಎಂದು ಹೇಳಿದರು ನಾನು ಇದನ್ನು ಪೂರ್ವವಾಗಿ ಎನ್ನ ಹೇಳಿಲ್ಲ. ಆದ್ದರಿಂದ ಈ ಪರಿಸ್ಥಿತಿ ಬಂತು ಎಂದು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಹಿಂದೆ ಒಂದು ಅನ್ವೇಷಣೆ ಹೊರಡಿಸಿ ಇವತ್ತಿನ ದಿನವಿನ ಆ ಆರ್ಟಿಕಲ್‌ನನ್ನು ಕಾನೂನಾಗಿ ಮಾಡುವುದು ಮಾಡುವ ದೃಷ್ಟಿಯಿಂದ ಈ ಮಸೂದೆಯನ್ನು ತಂದಿದ್ದಾರೆ. ಹಾಗೆ ಆರ್ಟಿಕಲ್‌ನ ಹೊರಡಿಸಬೇಕಾದ ಗವರ್ನರ್ ರವರು ಅಡ್ವೋಕೇಟ್ ಜನರಲ್‌ರವರ ಅಡ್ವೋಕೇಟ್ ಪ್ರಕಾರ ಇಂಥ ಆರ್ಟಿಕಲ್‌ನ ಹೊರಡಿಸಿದ್ದಾರೆಂದು ಎಂದು ಹೇಳಬಹುದಿತ್ತು. ಈಗ ತಂದಿರತಕ್ಕ ತಿದ್ದುಪಡಿ ಮಸೂದೆಯಿಂದ ದೇಶಕ್ಕೆ ಹಿಂದಿನ ಆಕ್ಟ್ ಪ್ರಕಾರ ಬರುತ್ತಿದ್ದ ಉತ್ತಮ ಕಮಿಷನ್‌ಗುತ್ತದೆ ಎಂಬುದು ಕಂಡುಬರುತ್ತದೆ. ಅದರಿಂದ ಎಷ್ಟರಮಟ್ಟಿಗೆ ತೆರಿಗೆ ಹೋಗುತ್ತದೆ ಎನ್ನುವುದನ್ನು ಅವರಿಗೆ ತಿಳಿಯಪಡಿಸಬೇಕಾಗಿದೆ. ನಾನು ಈ ಸಭೆಯ ಗಮನಕ್ಕೆ ತರಬೇಕು ಎನ್ನುವುದು ಇನ್ನೇ ಕಾಣ. ಅದರಲ್ಲಿ ಸೆಕ್ಷನ್ 8 ಮತ್ತು 9 ಅನ್ನು ತೆಗೆದುಕೊಳ್ಳಬೇಕು ಎಂದು ತಿಳಿಸಿದಾರೆ. ಸ್ವಾಮಿ, ಈಗ ನಮ್ಮ ಮುಂದೆ ಇರತಕ್ಕದ್ದು ಕೇಂದ್ರ ಸರ್ಕಾರದ 1955ರ ಆಕ್ಟ್ ಮತ್ತು ಮೈಸೂರು ಸರ್ಕಾರದ ರಾಜರಿ ಮತ್ತು ಕಾಂಪಿಟಿಷನ್ 1951ರ ಆಕ್ಟ್. ಇವೆರಡಕ್ಕೂ ಇರತಕ್ಕ ವ್ಯತ್ಯಾಸವನ್ನು ನೋಡಿದ್ದೇ ಅದರೆ, ಈ ತಿದ್ದುಪಡಿ ಮಸೂದೆ ಅಷ್ಟು ಅರ್ಥವಾಗುವುದಿಲ್ಲ. ಮೈಸೂರಿನ 1951ನೇ ಇಸ್ರಿಯ ಆಕ್ಟ್, ರಾಜರಿ, ಕಾಂಪಿಟಿಷನ್ ಮತ್ತು ಟ್ಯಾಕ್ಸೇಷನ್, ಈ ಮೂರು ವಿಷಯಗಳನ್ನು ಒಳಗೊಂಡಿದೆ. ಕೇಂದ್ರದ ಆಕ್ಟ್‌ನಲ್ಲಿ ಕಾಂಪಿಟಿಷನ್ ಮಾತ್ರ ಅಡಕವಾಗಿದೆ. ಆದ್ದರಿಂದ 1951ನೇ ಇಸ್ರಿಯ ಆಕ್ಟ್‌ನಿಂದ 8-9ನೇ ಸೆಕ್ಷನ್ ಡಿಲೇಟ್ ಮಾಡಿದರೆ ಏನಾಗ ತದೆ ಎಂಬುದನ್ನು ನಾವು ಆರೋಪಿಸಿ ಮಾಡಬೇಕು. ರಾಜರಿಗೆ ಸಂಬಂಧಪಟ್ಟ ರೈಸ್‌ನ ತೆಗೆದುಕೊಳ್ಳುವ ಏರ ದರೂ ಅನಾರಾಫರ್ ರಾಜರಿಗಳನ್ನು ನಡೆಸಿದರೆ, ಅಂತಹವರನ್ನು ಏನೂ ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಅದರಿಂದ ಬರತಕ್ಕ ಹಣ ಹೋಗುತ್ತದೆ. ಸಂಬಂಧ ಪಟ್ಟ ಮನುಷ್ಯರು ಏನೂ ಹಣ ಕೊಡಬೇಕಾಗಿಲ್ಲ. ಸರ್ಕಾರದ ಮೇಲೆ ಕೇಸನ್ನು ಹಾಕಿದರೆ ಅವರಿಂದ ಹಣ ವಸೂಲು ಮಾಡುವುದು ಕಷ್ಟವಾಗುತ್ತದೆ. ಈ ವಿಷಯವನ್ನು ಕೂಲಂಕಷವಾಗಿ ಆರೋಪಿಸಿ ಮಾಡಿ ಗೌರವ ಅವರ ಗಮನಕ್ಕೆ ಅಡ್ವೋಕೇಟ್ ಜನರಲ್ ತಂದಿದ್ದಾರೆಂದು ಎನ್ನುವ ವಿಚಾರದಲ್ಲಿ ಅವರ ಸ್ಟೇಟ್ ವೆಂಟ್ ಆಗತಕ್ಕ ಎಂದು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಹಿಂದೆ 1951ನೇ ಇಸ್ರಿಯಲ್ಲಿ ಮೈಸೂರು ಸರ್ಕಾರದವರು ಈ ಆಕ್ಟ್‌ನು ತರುವುದಕ್ಕೂ ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಕೇಂದ್ರದ 1955ನೇ ಇಸ್ರಿಯಲ್ಲಿ ಮೈಸೂರು ದೇಶದಲ್ಲಿ ಕೇಂದ್ರದ ಕಾನೂನನ್ನು ಜಾರಿಗೆ ತರುವುದಕ್ಕೂ ಒಂದು ಕಾರಣವಿದೆ. ಇನ್ನೇ ಇಂದಿರಾದಲ್ಲಿ, ಮೈಸೂರಿನಲ್ಲಿ ಜೂಜಾಟದ ಅಪಾಂತರ ಜಾರಿ ಯಾಗುತ್ತಿತ್ತು. ಅನೇಕ ಸಂಸಾರಗಳು ಹಾಳಾಗುತ್ತಿದ್ದುವು. ಎಲ್ಲೆಲ್ಲೂ ಅದನ್ನು ಕುಟೋಲ್ ಮಾಡುವುದಕ್ಕೆ ಸರ್ಕಾರಕ್ಕೆ ಸಾಧ್ಯವಿರಲಿಲ್ಲ. ಬೊಂಬಾಯಿನಲ್ಲಿ ವಿಚಿತ್ರ ಸಂಕಟ ಪರಿಸ್ಥಿತಿ ಇತ್ತು. ಮೈಸೂರಿನಲ್ಲಿಯೂ ಸರ್ಕಾರದಲ್ಲೇ ರೀತಿಯಲ್ಲಿ ಒಂದು ಸಂಕಟ ಸಿಕ್ಕಿತ್ತು. ಅನರಕಟ ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಬೊಂಬಾಯಿ ಸರ್ಕಾರದವರು R.M.D.C. ರವರ ಕಾಟವನ್ನು ತಪ್ಪಿಸಲು ಒಂದು ಜಮೀನಾತಿ ಕಾನೂನನ್ನು ಜಾರಿಗೆ ತಂದರು. ಅವರೇ

(ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ)

ಅದನ್ನು ಜಾರಿಗೆ ತಂದತಕ್ಷಣ R.M.D.C.ಯವರು ಹಣ ಕೊಡಲಾರದೆ, ಸರ್ಕಾರಕ್ಕೆ ಕೊಡಬೇಕೆಂದು ಹಣವನ್ನು ಉಳಿಸಿಕೊಳ್ಳುವ ದೃಷ್ಟಿಯಿಂದ ಮೈಸೂರಿಗೆ ಸಾಗಾರೋಣ ಹಾಕಿದರು. ಆಮೇಲೆ ಮೈಸೂರಿನಲ್ಲಿ ಪ್ರಾರಂಭ ಮಾಡಿದರು. 1948ನೇ ಇಸವಿಯಲ್ಲಿ ಹಾಗೂ, ಹೀಗೂ ಕಾನೂನು ಇರಲಿಲ್ಲ. ಕಾನೂನು ಇಲ್ಲದೆ ಇರುವಾಗ ದೇಶದಲ್ಲಿ ಬಿಡವರ ಹಾವನ್ನು ದೋಚಿರು. ಕೇಂದ್ರ ಸರ್ಕಾರ ಕಣ್ಣು ತೆರೆದು ನೋಡಿ ಬಿಡವರ ಹಣವನ್ನು ಉಳಿಸಬೇಕು. ಎಂದು 1955ನೇ ಇಸವಿಯಲ್ಲಿ ಒಂದು ಕಾನೂನು ತಂದರು. ಆ ಕಾನೂನು ತಂದ ದುರ್ದೇಶ ಇವತ್ತಿನ ದಿವಸ ಈಡೇರಿದಿದ್ದರೆ, ಸರ್ಕಾರ ಮತ್ತು ಸಭೆಯ ಘನತೆ ಇರುತ್ತದೋ ಎಂಬುದನ್ನು ಸರ್ಕಾರ ಮತ್ತು ಮಾನ್ಯ ಸಭೆ ಎರಡು ಅರೋಚನೆ ಮಾಡಬೇಕು. ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಪ್ರಯಾಂಬಲಿನಲ್ಲಿ ಇಡೀ ಇಂಡಿಯಾ ದೇಶದಲ್ಲಿ ಅವಂತರ ಜಾಸ್ತಿಯಾಗುತ್ತಿದೆ. ಬಿಡಬಗ್ಗೆ ಹಣಕಾಸಿನ ಪರಿಸ್ಥಿತಿ ಏರುಪೇರಾಗುತ್ತಿದೆ ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಇಂಥ ಸಂದರ್ಭವಿರು ವಾಗ ಯಾವುದನ್ನೂ ಅರೋಚನೆ ಮಾಡದೆ ಈ ರೀತಿ ತಂದರೆ ಏನಾಗುತ್ತದೆ ಎಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕು. ಮೈಸೂರು ಪ್ರಿನ್ಸಿಪಲ್ ಆಕ್ಟ್ 1951ರಲ್ಲಿ ಸೆಕ್ಷನ್ (2) (1) (e) ಹೀಗಿದೆ:

"Prize competition includes—

(i) Cross-word prize competition, missing words prize competition, picture prize competition, number prize competition or any other competition for which the solution is prepared beforehand by the promoters of the competition or for which the solution is determined by lot"

ಅದನ್ನು ಇವತ್ತಿನ ದಿವಸ ತಿನ್ನುವದಿ ಹುಸೂಮೆಯಲ್ಲಿ ಕೈಬಿಟ್ಟಿದ್ದಾರೆ. "for which the solution is prepared before hand by the promoters of the competition or for which the solution is determined by lot," ಎನ್ನುವ ಕ್ಲಾಸನ್ನು ತೆಗೆದುಬಿಟ್ಟಿದ್ದಾರೆ. ಈ ವಸೂದೆಯು 2 (1) (e) 'prize competition means any competition (whether called a crossword prize competition, a missing word prize competition, a picture prize competition or by any other name) in which prizes are offered for the solution of any puzzle based upon the building up, arrangement, continuation or permutation of letters, words or figures." ಎನ್ನುವುದರಲ್ಲಿ ಇದು ಮುಂದಕ್ಕೆ ಇರಬೇಕಾಗಿತ್ತು. ನಾನು ಹೇಳಿದಂಥ ಕ್ಲಾಸು ಇದ್ದಿದ್ದರೆ ಚೆನ್ನಾಗಿತ್ತು. ಎತಕ್ಕಂದರೆ ಪ್ರಮೋಟರ್ಸ್ ಇಂಟೆಲ್ ಪ್ರೈಸ್ ಕಾಂಪಿಟಿಷನ್ ಇವುಗಳ ಸಲೂಷನ್ ಮೊಟ್ಟಮೊದಲನೆಯದಾಗಿ ತಯಾರು ಮಾಡದೆ ಇದ್ದತಕ್ಕದ್ದು ಸಾರ್ವಜನಿಕರು ತಿಳಿಸತಕ್ಕ ಸಲೂಷನ್ ಸರಿಯಲ್ಲ ಎಂದು ತೀರ್ಮಾನ ಮಾಡುವುದಕ್ಕೆ ಅಥವಾ ಮೋಸ ಮಾಡು

ವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ. ಎಂದ ಹೇಳಿ 1951ನೇ ಇಸವಿಯಲ್ಲಿ ಈ ಕಾನೂನು ತಂದದ್ದು.

ಶ್ರೀ ಚಿ. ಮರಿಯಪ್ಪ (ಹಣಕಾಸಿನ ಇಲಾಖೆಯ ಮಂತ್ರಿಗಳ).—ನೀವು ಒದ್ದಿಲ್ಲ. ಸೆಂಟರ್ ಆಕ್ಟ್ ಡೆಫಿನಿಷನ್ ನೋಡಿ ಅದರಂತೆ ಇಲ್ಲ ಅಡ್ಯಾಪ್ಸ್ ಮಾಡಿ ದ್ದೇವೆ.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ನಾನು ಒದ್ದಿದ್ದೇನೆ. ತಾವು ಹೇಳಬೇಕು. ಅಲ್ಲ ಸೆಂಟರದ ಏನೂ ಇರುವುದಿಲ್ಲ ಎಂದು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಕೇಂದ್ರದ ಅಕ್ಕಿಗೂ ಇದಕ್ಕೂ repugnance ಇರುವುದಿಲ್ಲ. ರಿಪಿಟಿಷನ್ ಆಗುವುದಿಲ್ಲ. ಟಾಕ್ಲೇಷನ್ ವಿಷಯದಲ್ಲಿ ನಮಗೆ ಟಾಕ್ಲೇಷನ್ ಹಾಕುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ. ನವೆಕ್ಸ್ ಅಕ್ಕಿಗೂ ಕೇಂದ್ರದ ಅಕ್ಕಿಗೂ ಒಂದು ವ್ಯತ್ಯಾಸ ಮಾತ್ರ ಕಾಣಿಸುತ್ತದೆ. The relevant section reads as follows:—

"No person shall promote or conduct any prize competition or competition in which the total value of the prize or prizes whether in cash or otherwise be offered in any month exceeds Rs. 1,000 or..... the number of entries shall not exceed 2,000."

ಇದು ಏನಾ ಇನ್ನು ಯಾವ ವ್ಯತ್ಯಾಸವೂ ಅಷ್ಟೊಂದು ಕಾಣುವುದಿಲ್ಲ. ನಮ್ಮ ಆಕ್ಟ್ ಪ್ರಕಾರ ರೂಲ್ಸ್ ಮಾಡುವುದಕ್ಕೆ ಸರ್ಕಾರಕ್ಕೆ ಅವಕಾಶ ಕೊಟ್ಟಿದೆ. ರೂಲ್ಸ್ ಮಾಡಿ ಕೇಂದ್ರಸರ್ಕಾರದಲ್ಲಿ ಇರತಕ್ಕ ಪ್ರಾವಿಷನ್ ಅನ್ನು ಇಲ್ಲಿ ಮಾಡಿಕೊಳ್ಳಬಹುದಾಗಿತ್ತು. ನಮ್ಮ ಸರ್ಕಾರದವರು ಬೇಕುಪಾರಾಗಿದ್ದರಿಂದ ಕೇಂದ್ರ ಸರ್ಕಾರದ ಆಕ್ಟ್‌ನ್ನು ಅಡ್ಯಾಪ್ಸ್ ಮಾಡಿಕೊಳ್ಳುವ ಸಂದರ್ಭ ಬಂತು. ಹಿಂದೆ ನಮ್ಮ ಕಾನೂನಿನ ಪ್ರಕಾರ ರೂಲ್ಸ್ ವ್ಯಕ್ತಿ ಮಾಡಿದ್ದರೆ ಈ ಸಂದರ್ಭ ಬರುತ್ತಿರಲಿಲ್ಲ. ಹಿಂದೆ ಈ ಬಗ್ಗೆ ರೆಸೂಲ್ಯೂಷನ್ ಚರ್ಚೆವಾಡಿವಾಗ ಇದನ್ನು ಸಭೆಯ ಗಮನಕ್ಕೆ ತಂದಿದ್ದೇನೆ.

ಶ್ರೀ ಚಿ. ಮರಿಯಪ್ಪ.—ಅದನ್ನು ಒದ್ದಿಟ್ಟರೆ ಚೆನ್ನಾಗಿ ಅರ್ಥವಾಗುತ್ತದೆ.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ನಮ್ಮ ಪ್ರೈಸ್ ಕಾಂಪಿಟಿಷನ್‌ನಲ್ಲಿ ರಾಜರಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ರೈಸ್‌ನ್ನು ತೆಗೆದುಕೊಳ್ಳದಿದ್ದರೆ ಅವರಿಗೆ ಹಿಂದಿನಿಂದ ಏನಾದರೂ ಶಿಕ್ಷೆ ಕೊಡುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆಯೇ ಇಲ್ಲವೇ ಎಂಬುದನ್ನು ತಾವೇ ಯೋಚನೆ ಮಾಡಬೇಕು. ಸೆಕ್ಷನ್ ಗಳ ಸೆಕ್ಷನ್‌ನಲ್ಲಿ ಇರತಕ್ಕದ್ದು ಆಕ್ಟ್ ತರುವುದಕ್ಕೆ ಮುಂಚೆ ಕೋರ್ಟ್‌ನಲ್ಲಿ ತೀರ್ಮಾನವಾಗಿದ್ದರೆ ಇಂಟರ್ ಗಳಿಗೆ ಯಾವ ವಿಧವೆಂದ ತೊಂದರೆಯೂ ಆಗದಂತೆ ನೋಡಿಕೊಳ್ಳುವ ವಿಚಾರ ಮಾತ್ರ. ಯಾರಾದರೂ ಇರು ಕೆಲವು ವ್ಯಕ್ತಿಗಳನ್ನು ದೃಷ್ಟಿಯಲ್ಲಿ ಇಟ್ಟುಕೊಂಡು ಈಗ ಕಾನೂನನ್ನು ತಂದಿದ್ದಾರೆ ದು ಕಾಣಿಸುತ್ತದೆ. ಈಗ ಸರ್ಕಾರಕ್ಕೆ ಬರಬೇಕಾದ ಹಣ ಏನಾದರೂ ಬೋರ್ಡು ಒಳಗೊಂಡಿರುವುದನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಶ್ರೀ ಮರಿಯಪ್ಪನವರು ಈ ಮಸೂದೆಯನ್ನು ಇಂಟರ್‌ಡ್ಯೂಸ್ ಮಾಡುವಾಗ ಕನ್ಸಿಡರೇಷನ್ ಮೋಷನ್ ಅನ್ನು ಮೂವು ಮಾಡುವಾಗ ಸ್ಪೀಚ್‌ಮೇಂಟ್ ಸರಿಯಾಗಿ ಮಾಡಿದರೆ ಈ ಪ್ರಶ್ನೆ ಉದ್ಭವಿಸುತ್ತಿರಲಿಲ್ಲ. ಇದನ್ನು ತಂದರೆ ಬೋರ್ಡು ಆಗುತ್ತದೆ ಎಂಬುದು ಅವರಿಗೆ ಗೊತ್ತು.

Mr. SPEAKER.—The House will now rise and meet after half-an-hour.

The House adjourned for Luncheon at Ten of the Clock and reassembled at Thirty-two Minutes past Ten of the Clock.

[Mr. SPEAKER in the Chair.]

ಅೀಯು. ಎಂ. ಮಾದಪ್ಪ.—ಸ್ವಾಮಿ, ಈಗ ನಮ್ಮ ಸಂಸ್ಥಾನದಲ್ಲಿ ಬಹಳ ಮುಖ್ಯವಾದ ಪ್ರೈವೇಟ್ ಕಾಂಪೆಟಿಷನ್ ಸಂಸ್ಥೆ ಎಂದರೆ ಆದು ಆರ್. ಎಂ. ಡಿ. ಸಿ. ಈ ಆರ್. ಎಂ. ಡಿ. ಸಿ. ಸಂಸ್ಥೆಯವರು ಸರ್ಕಾರಕ್ಕೆ ಈಗಾಗಲೇ 25,09,206 ರೂಪಾಯಿ 5 ಆಂಟ್ ಟ್ಯಾಕ್ಸ್ ರೂಪದಲ್ಲಿಯೂ ಮತ್ತು 5,175 ರೂಪಾಯಿ ಯನ್ನು ಫೀ ರೂಪದಲ್ಲಿಯೂ ಕೊಟ್ಟಿದ್ದಾರೆಂದು ಆಗಿನ ಗೃಹ ಮಂತ್ರಿಗಳಾಗಿದ್ದ ಶ್ರೀ ಎಚ್. ಸಿದ್ದೇಶ್ವರಪ್ಪ ನವರು ಹೇಳಿದ್ದಾರೆ. ಈ ಸಂಸ್ಥೆಯವರು ಟ್ಯಾಕ್ಸ್ ಹಾಕಿರುವುದನ್ನು ಚಾರ್ಜ್ ಮಾಡುತ್ತಿದ್ದರೂ, by force ವಸೂಲು ಮಾಡುತ್ತಿವೆ ಎಂದೂ ಅವರು ತಿಳಿಸಿದ್ದಾರೆ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ನನಗೆ ಭಯವಾಗುತ್ತದೆ ಇದೆ. ಏಕೆಂದರೆ ಈ ಕಾನೂನನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಿದರೆ ಈಗ ವಸೂಲು ಮಾಡಿಕೊಂಡಿರುವ ಹಣವನ್ನು ಆರ್. ಎಂ. ಡಿ. ಸಿ. ಗೆ ವಾಪಸು ಕೊಡಬೇಕಾದ ಸಂದರ್ಭ ಬರುತ್ತದೆಯೋ ಏನೋ. ಏಕೆಂದರೆ ಹಿಂದೆ ಸುಪ್ರೀಂ ಕೋರ್ಟಿನಲ್ಲಿ ಒಂದು ಕೇಸ್ ದಾಖಲಾಗಿತ್ತು, ಆ ಸುಪ್ರೀಂ ಕೋರ್ಟಿನಲ್ಲಿ ಏನು ತೀರ್ಮಾನವಾಯಿತೋ ನನಗೆ ಗೊತ್ತಿಲ್ಲ ಎಂದು ಆಗಿನ ಗೃಹ ಮಂತ್ರಿಗಳು ಹೇಳಿದ್ದರು. ಇವತ್ತಿನ ವರೆಗೂ ಈ ಸಭೆಗೆ ಆ ಕೇಸ್ ಸುಪ್ರೀಂ ಕೋರ್ಟಿನಲ್ಲಿ ಏನಾಯಿತು ಎನ್ನುವುದು ತಿಳಿದಿಲ್ಲ. ಈ ಮಸೂದೆ ಚಾರ್ಜ್-ನ್ಯಾತಕಂಠ ಶ್ರೀ ಚಿ. ಮರಿಯಪ್ಪನವರು ಇವತ್ತಿನ ದಿವಸ ಆ ಕೇಸಿನ ಫಲಿತಾಂಶವನ್ನು ತಿಳಿಸುತ್ತಾರೆಂದು ನಾನು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಈ ಮಸೂದೆಯನ್ನು ತಂದು, ಆಕ್ಟ್ ಬದಲಾಯಿಸುವುದರಿಂದ, ಯಾವ ಪಾಟಿ-ಗಾದರೂ ಅಥವಾ ಸರ್ಕಾರಕ್ಕಾದರೂ ತೊಂದರೆಯಾಗುತ್ತದೆಯೋ, ತೊಂದರೆ ಹೆಚ್ಚಾಗಿ ಯಾರಿಗೆ ಆಗುತ್ತದೆ ಎಂಬುದನ್ನು ಸರ್ಕಾರ ತಿಳಿಸಬೇಕು. ಸರ್ಕಾರದ ಹಣಕಾಸಿನ ಪರಿಸ್ಥಿತಿ ಕಟ್ಟಿರುವುದರಿಂದ, ಈ ಮಸೂದೆಯ ಸಂಬಂಧದಲ್ಲಿ ಸರ್ಕಾರದ ಜವಾಬ್ದಾರಿ ಹೆಚ್ಚಾಗಿದೆ. ಸರ್ಕಾರಕ್ಕೆ ನಿಜವಾಗಿಯೂ ಬರತಕ್ಕಂಥ ಹಣವನ್ನು ಒಂದು ಕಾನೂನು ಬದಲೆ ವಸೂಲಿ ಮಾಡುವ ಏರ್ಪಾಡು ಈ ಮಸೂದೆಯಲ್ಲಿ ಇದೆಯೇ? ಇಲ್ಲ, ಸರ್ಕಾರಕ್ಕೆ ಈ ಮಸೂದೆಯಿಂದ ಏನು ಕಷ್ಟವಾಗುತ್ತದೆ? ರಾಜಿಯಿಂದ ಬರಬೇಕಾದ ಹಣ ಅಷ್ಟು ಬರುತ್ತದೆ? ಈ ವಿಷಯಗಳನ್ನೆಲ್ಲಾ ನೀವು ತಿಳಿಸಬೇಕು. ಏಕೆಂದರೆ, ಈ ಮಸೂದೆಯಿಂದ ಏನೋ ತೊಂದರೆಯಾಗುತ್ತದೆ ಎಂಬ ಅನುಮಾನ ಬಂದಿದೆ. ಈ ಮಸೂದೆಯನ್ನು ತರುವ ಕಾರಣವನ್ನು ಸ್ಪಷ್ಟವಾಗಿ ಹೇಳಿ. ಕಾರಣವನ್ನು ಸ್ಪಷ್ಟವಾಗಿ ಕೊಡದೆ ಇದ್ದರೆ, ಈ ಮಸೂದೆಯನ್ನು ತರುವುದು ಸೂಕ್ತವಲ್ಲ. ಅನಾವಶ್ಯಕವಾದ ಬಿಲ್ಲನ್ನು ತರಬಾರದು ಎನ್ನುವ ನಿಯಮವೂ ಇದೆ. ಆರ್ಮಿನನ್ಸ್

ವಿಷಯದಲ್ಲಿ ಮಾತನಾಡಬೇಕಾದ ಸಮಯ ಬಂದಾಗಲೇ, ಒಂದು ರೆಸಲ್ಯೂಷನ್ ಮಾಡಿ, ಆರ್ಮಿನನ್ಸ್ ಕಾನ್ಸರ್ನ್ ಮಾಡಬಹುದಾಗಿತ್ತು. ಒಟ್ಟಿನಲ್ಲಿ, ಈ ಹಣದ ವಿಷಯದಲ್ಲಿ ಸರ್ಕಾರದವರು ಬಹಳ ಎಚ್ಚರಿಕೆಯಿಂದ ಇರಬೇಕು ಮತ್ತು, ರೆಜಿಸ್ಟ್ರೇಷನ್ ಎಫೆಕ್ಟ್ ಕೊಟ್ಟರೆ ಇವತ್ತಿನದಿ-ನ ರಾಜಿಯಿಂದ ಬರತಕ್ಕ ಹಣದಲ್ಲಿ ನಷ್ಟವಾಗುತ್ತದೆಯೋ, ಬರತಕ್ಕ ಹಣ ಏನಾಗುತ್ತದೆ ಎಂಬುದನ್ನು ದೋಚಿಸಬೇಕು. ಎಂಟು ಮತ್ತು ಒಂಭತ್ತನೆಯ ಸೆಕ್ಷನ್‌ಗಳನ್ನು ಈ ನಮ್ಮ ಆಕ್ಟಿನಲ್ಲಿ ಒಮ್ಮೆ ಮಾಡಿ ಬಿಟ್ಟರೆ, ರಾಜಿಯಿಂದ ಬರುವ ಆದಾಯ ಕಡಿಮೆಯಾಗುತ್ತದೆಯೇ? ಇವುಗಳನ್ನು 1956ನೇ ಇಸವಿಯಿಂದ ಒಮ್ಮೆ ಮಾಡಿದರೆ, ದೇಶಕ್ಕೆ ಮತ್ತು ಸರ್ಕಾರಕ್ಕೆ ಬರತಕ್ಕಂಥ ಹಣ ಕಾಂಠಿತವಾಗುತ್ತದೆಯೇ? ಅಲ್ಲದೆ ಹಿಂದೆ ಗೃಹ ಮಂತ್ರಿಗಳು ಹೇಳಿದರು—“ಈ ಮಸೂದೆ ಹೆಚ್ಚಾಗಿ ಒಂದೇ ಸಂಸ್ಥೆಗೆ ಸಂಬಂಧಿಸಿದುದು; ಆದರೆ ಇನ್ನೊಂದು ಸಂಸ್ಥೆ ಇದೆ, ಅದರ ಹೆಸರನ್ನು ಹೇಳುವುದಿಲ್ಲ” ಎಂದು ಇವತ್ತಿನ ದಿವಸ ಶ್ರೀ ಚಿ. ಮರಿಯಪ್ಪನವರು ಆ ಸಂಸ್ಥೆಯ ಹೆಸರನ್ನು ಹೇಳುತ್ತಾರೆಂದು ನಂಬಿದ್ದೇನೆ. ಆರ್. ಎಂ. ಡಿ. ಸಿ. ಇದೆ; ಇನ್ನೊಂದು ಸಂಸ್ಥೆಯೂ ಇದೆ. ಅದರ ಹೆಸರನ್ನು ಹೇಳುವುದು ಅಷ್ಟು ಸೂಕ್ತವಲ್ಲ ಎಂದು ಹೇಳಿರುವುದರಿಂದ, ನಮಗೆ ಅನುಮಾನ ಬಂದಿದೆ. ಇನ್ನೊಂದು ಸಂಸ್ಥೆ ಇದ್ದರೆ, ಅದೂ ಏನಾದರೂ ಹಣ ಕೊಡಬೇಕಾಗುತ್ತದೆಯೇ? ಅದೂ ಏನಾದರೂ ತಕರಾರು ಕೇಸು ಹಾಕಿದರೆ, ಈ ತಿದ್ದುಪಡಿಯಿಂದ ಅದು ತಪ್ಪಿಸಿಕೊಳ್ಳುತ್ತದೆಯೇ ಮತ್ತು ಸರ್ಕಾರಕ್ಕೆ ಬರಬೇಕಾದ ಹಣಕ್ಕೆ ಕಷ್ಟವಾಗುತ್ತದೆಯೇ? ಒಂದು ಆರ್ಮಿನನ್ಸ್ ತಂದು, ಆಕ್ಟ್ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಮಾಡತಕ್ಕಂಥ ಅಷ್ಟೊಂದು ಅಗತ್ಯವೇನಿತ್ತು? ಅಂತಹ ಸಂದಿಗ್ಧ ಪರಿಸ್ಥಿತಿ ಬಂದಿತ್ತೇ? ಈ ವಿಷಯಗಳನ್ನು ಸರಿಯಾಗಿ ಸ್ಪಷ್ಟಪಡಿಸಿಲ್ಲ. ಈ ಮಸೂದೆಯನ್ನು ತಂದಿರುವ ಉದ್ದೇಶವನ್ನು ಈಗ ರಾಜರೂ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಹೊರಡಿಸುತ್ತಾರೆಂದು ನಾನು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಈ ಸಭೆಗೆ ಜವಾಬ್ದಾರಿಯಾಗಿರತಕ್ಕ, ಎಕ್ಸಿಕ್ಯೂಟಿವ್ ಮಂಡಲ ಸದಸ್ಯರ ಸಂಶಯಗಳಿಗೆ ಉತ್ತರ ಕೊಡಬೇಕು ಇದ್ದರೆ, ಸಭೆಯ ಘನತೆಗೆ ಕಳಂಕ ಬರುತ್ತದೆ.

ಈಗ 1956ನೇ ಇಸವಿ ಜನವರಿ ಒಂದರಿಂದ ಇದನ್ನು ಫುನ್ ಟೈಮ್ ಮಾಡಿದ್ದಾರೆಂದು ತಿಳಿದು ಬರುತ್ತದೆ. ಈಗ ಸೆಂಟ್ರಲ್ ಆಕ್ಟ್ ಮಾರ್ಚ್ ಒಂದರ ವರೆಗೂ ಜಾರಿಯಲ್ಲಿದ್ದು ಎಂದು ಕಾಣುತ್ತದೆ.

ಶ್ರೀ ಚಿ. ಮರಿಯಪ್ಪ.—ಇಲ್ಲ. ಸಸ್ಟೆಂಡ್ ಆಗಿತ್ತು.

ಶ್ರೀಯು. ಎಂ. ಮಾದಪ್ಪ.—ಅದು ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ಸಸ್ಟೆಂಡ್ ಯಾರು ಮಾಡಿದರು ಎಂಬ ಪ್ರಶ್ನೆಯೇ ನನ್ನ ಮನಸ್ಸಿನಲ್ಲಿಯೂ ಇರುವುದು. ಪ್ರೆಸಿಡೆಂಟ್‌ರವರು ಏನಾದರೂ ಅಪ್ಪೋವ್ ಮಾಡಿದ್ದಾರೆಯೇ? ಅಥವಾ ಸುಪ್ರೀಂ ಕೋರ್ಟಿನವರು ಮಾಡಿದ್ದಾರೆಯೇ? ಇದರ ಮೇಲೆ ಹೈಕೋರ್ಟಿನವರ ಡಿಸಿಷನ್ ಇದೆಯೇ? ನೀತಿ ಮಾಡಿದ್ದೀರಾ ಅಥವಾ ಯಾರು ಮಾಡಿದರು? ಹೇಗೆ ಸಸ್ಟೆಂಡ್ ಆಯಿತು? ಸೆಂಟ್ರಲ್ ಆಕ್ಟ್ ಪ್ರಕಾರ ನಿಮಗೆ ರೋಲ್ ಮಾಡುವುದಕ್ಕೆ ಅಧಿಕಾರವಿತ್ತು. 1951ನೇ ಇಸವಿಯಿಂದ ಮೈಸೂರು ಆಕ್ಟಿನ ಪ್ರಕಾರ ರೋಲ್ ಇವೆ. ಆ ರೋಲ್ ಜಾರಿಯಲ್ಲಿದ್ದೇ ಇವೆ. ನಮ್ಮ ಈ ಆಕ್ಟಿಗೂ, ಸೆಂಟ್ರಲ್ ಆಕ್ಟಿಗೂ ವ್ಯತ್ಯಾಸ ಕಾಣುವುದಿಲ್ಲ. ಮೈಸೂರು ಆಕ್ಟಿನಲ್ಲಿ ಅಷ್ಟು ವ್ಯತ್ಯಾಸವಿಲ್ಲ ಎಂಬ

(ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ)
ಭರವನೆ ನನಗಿದೆ. ಈ ವಿಶ್ವ ದೃಷ್ಟಿಯಿಂದ
ಛೋಚನೆ ಮಾಡಬೇಕು. ಮೂರು ತಿಂಗಳುಗಳ
ಅವಧಿಯಲ್ಲಿ ವಸೂಲು ಮಾಡಬೇಕಾಗಿದ್ದ ಮತ್ತು
ಸರ್ಕಾರಕ್ಕೆ ಬರತಕ್ಕ ಹಣ ಬೋತಾ ಆಗುತ್ತದೆಂದು
ನಾನು ಘಂಟಾ ಘೋಷವಾಗಿ ಹೇಳುತ್ತೇನೆ. ಅಲ್ಲದೆ
ವಿನಾದರೂ ಮಾರ್ಚ್ ೧೦ ೨ ಅರ್. ಎಂ. ಡಿ. ಸಿ.ಗೆ
ಲೈಸೆನ್ಸ್ ಕೊಟ್ಟಿದ್ದಾರೆ. ಸರ್ಕಾರದವರು ಅದನ್ನು
ಹೇಳಲಿಲ್ಲ. ಇತ್ತೀಚೆಗೆ ರಾಜ್ಯ ನಡೆಸತಕ್ಕ ಸಂಗತಿ
ದರೂ ಈ ವೈಸೂರು ಆಕ್ಟ್ ಪ್ರಕಾರ ಲೈಸೆನ್ಸ್ ಕೊಡ
ಲಾಗಿದೆಯೇ? ಈಗ ೮-೧೧ ಕ್ಲಕ್ಸ್ ಡಿಂಪ್ ಅದರೆ
ಲೈಸೆನ್ಸ್ ಇಲ್ಲದೆ ನಡೆಸಬಹುದು. ಡಿಂಪ್ ಆಗದೆ
ಉಳಿದಿದ್ದರೆ ಅವರಿಂದ ಹಣ ಬರುತ್ತಿತ್ತು. ವಿನಾದರೂ
ಪ್ರೈವೇಟ್ ರಾಜರಿಯವರು ನಿಮಗೆ ವಸೂಲು ಮಾಡು
ವುದಕ್ಕೆ ಅಧಿಕಾರವಿಲ್ಲವೆಂದು ಕೇಸು ಹಾಕಿದರೆ, ಏನು
ಮಾಡುತ್ತೀರಿ? ಅನೇಕ ವಿಷಯಗಳನ್ನು ಈ ಸಭೆಯು
ಗಮನಕ್ಕೆ ತರದೆ, ಇಂತಹ ವ್ಯವಹಾರವಾದ ಮತ್ತು
ಜವಾಬ್ದಾರಿಯುತವಾದ ಕಾನೂನನ್ನು ತಂದು ನಮ್ಮ
ಮೇಲೆ ಹೊಸತಕ್ಕದ್ದು ಸಾಧುವಾದುದಲ್ಲ. ಇಂತಹ
ಜವಾಬ್ದಾರಿಯುತವಾದ ವ್ಯವಹಾರವನ್ನು ಸಾರಿಗೆ
ತರುವಾಗ, ಹೆಚ್ಚು ಹೂಡಿಕೆದ ದೆವಲಪ್‌ಮೆಂಟ್‌ಗೆ
ಬೇಕಾಗಿರುವಾಗ ಸರ್ಕಾರಕ್ಕೆ ಹಣದ ವಿಷಯದ
ಲಾಗಲಿ, ಅಥವಾ ಆದಾಯ ವಿಷಯದ್ದಾಗಲಿ
ಏನೂ ತೊಂದರೆಯಾಗದಂತೆ ಸರ್ಕಾರದವರು ನೋಡಿ
ಕೊಳ್ಳಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ. ಇದರ ಮೇಲೆ ನನ್ನ
ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬೇರೆ ಇರುವುದರಿಂದ ಹೆಚ್ಚು
ವಿಷಯವನ್ನು ಕುರಿತು ಈಗ ಮಾತನಾಡುವುದಿಲ್ಲ.

SRI V. SRINIVAS SHETTY (Coon-
dapoer).—Sir, ordinarily this Bill
would not have had much scope for
discussion. I myself am doubtful how
far I will be treading on dangerous
ground. But the main purpose in
sending the amendment and wishing
to speak for a few minutes is to know
the truth. There seem to be two
groups, one for and one against this
Bill. There seems to be some suspi-
cion, well founded or ill-founded, I do
not know even against the Government.
There seems to be certain rackets
going on in the State—how far it is
true, the Hon'ble Minister will have to
make clear. I had discussion with
certain members of both the groups
and they seem to take such strong
sides and there may be motives behind
both also. So, as I said, I have to
tread very carefully in this matter.

Firstly, this is a matter which
comes under the State list and it is a
matter on which the State alone is
entitled to legislate. But the Centre
in certain emergent circumstances or
with the concurrence or consent of the
States can legislate and in this parti-
cular case, with the consent and

approval of the State Legislatures, the
Centre has legislated. It is purely
betting or gaming. So far for some
years past, this was going on unham-
pered without any obstruction. The
States naturally thought and the
Centre also thought that if such a thing
would go on, why should not the State
also make some money out of it. And
naturally, this Act was passed and it
has been approved I learn by the
Assembly of the former Mysore State
also.

Before I come to the next point, there
is one thing in the Bill itself, in clause
7,—I do not know whether it is a
mistake. I wish to bring it to the notice
of the Hon'ble Minister.

“Repeal of Mysore Ordinance
VI of 1951.”

I was surprised to learn that an Ordi-
nance passed in 1951 is still in
force. An Ordinance can have force
only for six months and we are in 1957.
I do not know whether there is any
amendment tabled for correcting this
obvious mistake. As it is, it reads :

“Repeal of Mysore Ordinance
VI of 1951” It further reads that
the “Mysore Lotteries and Prize
Competition (Amendment) Ordi-
nance 1951, is hereby repealed.”

How this could come out as it is, I do
not know. As far as I know, there is
no amendment to this clause also. It
is a matter which I wanted to bring to
the notice of the Government to take
such appropriate action as is deemed fit.

SRI T. MARIAPPA.—It is a printing
mistake.

SRI V. SRINIVAS SHETTY.—As it is,
the Government seem to have
promulgated an ordinance and the
Government have placed this Bill before
us for consideration. The main point
for consideration which I should like
the Hon'ble Minister to make clear is,
whether there is anything in this Bill
which will aid any person already
running a competition, in evading the
law or defrauding the State. I have
been reading the sections and giving
amendments also. But I should like
the Hon'ble Minister to make clear
whether the effect of this law will be to

aid such persons to evade payment or defraud the State in any manner, because fantastic tales have been circulated that certain persons are running these crossword puzzles in Bangalore—I am not going to name them—who owe very large sums of money to Government—some people say, it may be about Rs. 80,00,000—and with a view to help such people, this Bill has been brought. The point at issue is whether it is a fact that such persons who owe large sums of money will be helped by this measure and they are ready to take advantage of this Bill to the detriment of the State and it is said that it will aid the people at large in evading the law and defrauding the Government. This is a point which the Hon'ble Minister has to make clear.

The other point is—I was unable to understand this,—clause 3 which seeks to effect certain changes in the original Act. It says that sections 8 and 9 of the principal Act shall be omitted and shall be deemed to have been omitted with effect from the 1st April 1956. I shall read this section 8:

“A Prize Competition shall not be deemed to be unlawful prize competition if a licence in respect of such competition has been obtained by the promoter thereof.”

So, every promoter of a prize competition has to take out a licence under the original Act. Now under this amending Bill, we are omitting this section, that is to say, every person running such a venture from this day onwards, need not take out a licence at all. He is free to run a crossword puzzle without a licence. I do not understand why this laxity is allowed. What is the harm in retaining the section as it is?

Sri T. MARIAPPA.—The Central Act is in force and, therefore, this is redundant here. Now we cannot act under sections 8 and 9 and so we have taken this opportunity of bringing our Act in conformity with the provisions of the Central Act. In the Central Act there are other provisions insisting upon licence, etc., and, therefore, there is no question of doing away with

licencing. Kindly refer to sections 4, 5 and 6 of the Central Act. The Central Act has come into force from 1st April 1956. Our contention is that even though the Central Act is in force, the power to tax is with us, but the contention on the other side is that we have no power to tax.

Sri V. SRINIVAS SHETTY.—It was said that certain provisions of the Central Act were suspended.

Sri T. MARIAPPA.—That is not correct. The Supreme Court had only issued a stay order, staying certain provisions of the Central Act.

Sri V. SRINIVAS SHETTY.—If the Supreme Court had issued stay order the effect of which is to suspend certain provisions of the Central Act, then the Central Act cannot be said to be in force with regard to those provisions.

Sri T. MARIAPPA.—Subsequently the stay order was vacated. The effect of the amendment is only this. From 1st April 1956 onwards we were not able to collect any tax because the Central Act was kept in abeyance. The prizes that could be offered under the Central Act were only up to Rs. 1,000 each. Even though higher prizes were offered, we could not act because certain provisions of the Act were kept under suspension. Ultimately the stay order was vacated and the individual person who approached the Supreme Court lost his case. When once the stay order was vacated he wound up his business and so there is no question of any prize competition being conducted by him now, but between 1st April 1956 and the date on which he wound up his business, he conducted prize competitions as he was not bound by the provisions of the Central Act then and so higher prizes were offered. At that time we had no power, but now we are taking that power with a view to collecting that tax. So there is no question of any aiding to evade the payment of tax. The only question is that the legitimate dues to Government should be collected under the provisions of some law. We want to take power for that because he has conducted these prize competitions and recovered money. Therefore, what is legitimately due to Government

(T. MARIAPPA)

must be secured by looking into his accounts and by issuing proper notice to him.

Sri U. M. MADAPPA.—Is it that the Central Act was suspended only in Mysore State or throughout India?

Sri T. MARIAPPA.—Interpretations may differ. I do not want to hazard any interpretation. So far as we were concerned, we took it that the Central Act was kept in abeyance during that period.

Sri V. SRINIVAS SHETTY.—The Hon'ble Minister has explained that this section seems to be redundant, but since there is a good deal of suspicion about certain sections, I feel that the retention of this section will not harm any person in any way. If Government feels that there is sufficient provision in the Central Act itself, what is the harm in retaining this provision here? That is why my Hon'ble friend Sri Madappa wanted the Advocate General to be present in this House to explain the provisions of this Act to us. It is no use hazarding any interpretation. The law officer who has gone into this matter should explain it to us because it is a very complicated thing. My own feeling is that the retention of section 8 here would not harm anybody because at the most it would only be redundant and not illegal.

Similarly, I cannot understand why section 9 relating to penalty for evasion of tax also is not here. I have looked into the Central Act and in that Act there is no penalty section.

Sri T. MARIAPPA.—There is provision for it in the Central Act.

Sri V. SRINIVAS SHETTY.—I have not been able to find a similar provision in the Central Act. So by omitting these two sections, Government is trying to remove two sharp teeth from this Act and as a result I feel that the Act may become very ineffective. If the retention of these two sections is not illegal though redundant, it would be better to retain these two sections in the Act so there may be some powers in the hands of Government to deal with such persons and to see that what is legitimately due to Government is

recovered. As the Bill stands at present, the whole position is very confusing and I feel that there must be fuller discussion in the matter. So my humble submission is that in the interests of justice the discussion may be postponed to a later date when we may have the aid of the law officer of Government and understand the position much better. When the Hon'ble Minister himself has admitted that at the most the retention of these two sections would be redundant, to remove all suspicions I request him to allow the retention of these two sections, because there are no similar sections in the Central Act.

Sri T. MARIAPPA.—Please read section 9 of the Central Act. The provision there is almost the same as the provision in section 9 of our Act. In fact, the provision in section 9 of the Central Act is much more rigorous because it provides for fine, imprisonment or both.

Sri V. SRINIVAS SHETTY.—If the House is satisfied that the provision now made is all right and it is in the interest of the State, I for one do not want to come in the way of passing this Bill in any manner. I simply gave the amendment to see that there is some provision for this. Even after the explanation of the Minister I have got my own fears and I am not satisfied. I am awaiting his reply to have more light in this matter.

11 A.M.

Sri V. P. DEENADAYALU NAIDU (Cubbonpet).—Sir, I rise to bring to the attention of the Hon'ble Minister, the lacuna which this legislation is supposed to remedy. With regard to the salutary nature of this legislation, I think there is no doubt. I would only like to place before the Government that we were all this time being governed by the Mysore Act of 1951. Now with the coming of the Central Act, in October 1955, there is a slight change in the position. We adopted it some time around 31st March 1956. Then, of course there is an interim provision right up to the 1st August 1957. I have very carefully scanned the

proceedings of the previous Assembly and I am convinced that certain difficulties would arise, which I would request the Government to remedy even now. We should not pass such a legislation which could be exploited by the parties to go on and off to the Supreme Court. I would later read extracts from the Judgment of the Supreme Court to substantiate my point.

My first point is: does this legislation bring about uniformity that is contemplated by the Central legislation? The resolution adopted by this House was to the effect that there should be uniformity of legislation with regard to this subject throughout India. When that intention has been expressly stated, would it be right for us to go on constantly amending the Act? I want to know from the Hon'ble Minister, if, in view of the Central Act, it would be correct for us to keep on contending that the provisions of the Mysore Act of 1951 continues in all its force. This is made clear in Clause 6 which says in part: "Notwithstanding anything contained in any law, or in any order or decision of any court, the provisions of the principal Act, as amended by this Act, shall be deemed to have been in operation at all relevant times" My question, therefore, is whether it would be right for this House to hold and continue to believe that in spite of the Central Act, the Mysore Act of 1951, continues to operate. While enacting legislation, it has been the practice to state that where the Central Act comes into conflict with the State legislation or where some of the clauses of the State Act are repugnant to the Central Act, the clauses of the State Act would not be effective. That is the interpretation. Article 252, or to be more precise, Article 254 of the Constitution clearly lays down that the provisions of the State Act would be void if they are repugnant to the Central Act. Here, I would like to draw a distinction. Rightly or wrongly a resolution has been adopted. Under item 34 of the second list in the seventh schedule of the Constitution, it was within the province of this House.

L.A.

Rightly or wrongly, this House delegated that power or adopted the legislation of the Centre. Can the Government contend that we can go on indefinitely making amendments when once we have adopted a resolution adopting the Central Act? Of course, it is open to this House to pass a resolution asking the Centre to amend the Act. It is for Parliament to do it, but can the Government keep on amending and still say that we are amending and not recommending the question to the Parliament? In fact, I would have been happy, if the Government came forward with a resolution making a recommendation to Parliament.

There are three aspects involved: lotteries, prize competitions and the taxation structure. We have brought in the question of competitions within the purview of the House. Can the Minister contend that taxation connected with prize competitions is different from prize competitions. It is all one scheme. I contend that what the Hon'ble Minister is trying to make out will not be correct. The Government seem to have made a distinction that they hold the right to bring about certain taxes, in spite of certain modifications that have been made by the Central Act on prize competitions. Sri Mariappa knows this too well. There is what is called 'valid' and 'invalid' legislation. In spite of our saying that taxation on prize competitions is a separate provision, it still comes within the scheme. It relates to the same subject-matter. It is made very clear in the judgments of the Supreme Court, a portion of which I would read now.

"When a statute is in part void, it will be enforced as regards the rest, if that is severable from what is invalid. It is immaterial for the purpose of this rule whether the invalidity of the statute arises by reason of its subject-matter being outside the competence of the legislature or by reason of its provisions contravening constitutional prohibitions . . ."

After the Central enactment on the subject came into force, the Mysore Act

(SRI V. P. DEENADAYALU NAIDU)
is in fact nullified to that extent and becomes redundant to the Central Act. Even the taxes attached to prize competitions become invalid.

“Even when the provisions which are valid are distinct and separate from those which are invalid, if they all form part of a single scheme, is intended to be operative as a whole, then also the invalidity of a part will result in the failure of the whole.”

I would request the Government to consider this aspect. Then, it is stated :

“If after the invalid portion is expunged from the statute what remains cannot be enforced without making alterations and modifications therein, then the whole of it must be struck down as void.”

My argument is this. This tax that is now sought to be levied on the prize competitions forms part of one scheme. Even if they are treated separately, it does not make much difference because we should read the Act as a whole and not piecemeal. If that is so, this Bill is void to the extent the Central Act comes into force. If the tax structure is so inextricably mixed up with prize competitions, then the tax structure may be held as repugnant and invalid. I would like the Government to carefully consider this aspect. My doubts are still further enhanced when the Government wants to amend the Central Act by means of an amendment to the original Mysore Act which I consider as almost a dead letter. The principal Act of 1951 is not in operation and by the saving clause it is sought to be provided that the provisions of the principal Act shall be deemed to have been in operation. The principal Mysore Act is almost a dead Act and by way of an amendment you cannot revive a dead Act. You may bring in a fresh Act and we will accept it or you may recommend an amendment to the Central Act. Of course, it is for the Parliament to accept it or not. These two things are not done.

Whether it would be correct and proper for us to amend this Act is a matter for the Government to kindly consider. Section 7 of the principal Act deals with the procedure of keeping accounts. It says that the promoters of prize competitions should keep accounts and submit the same to the licensing authority. Kindly look into clause 5 which deals with the modification of sections 13 and 12. Does this not amount to amending the Central Act? Section 12 of the old Mysore Act deals with the recovery of tax and section 15 deals with the keeping and maintaining of accounts by the promoters of lotteries or prize competitions. My respectful submission is whether the Central Act does not negative some of these provisions. I think this is more or less an identical provision put in different words. Is it within the purview of this legislature to provide for a thing which is provided for in the Central Act? The Central Act indicates what the accounts are and how they should be maintained. Is this a clarification to the Central Act? But that is not the purpose of this Bill. I take very strong exception to making provision in our Act knowing full well that there is a similar provision in the Central Act. I have no objection to the Government making any number of rules. That is within their powers. Either the Central Government may legislate in this behalf or you may do it under the rules.

One more thing and I have done. The Central Act has been adopted by several States like Andhra, Madras, U.P. Madhya Bharat, etc. I would be very happy to know from the Hon'ble Minister what is the procedure they have adopted. I was just trying to know from the Secretary what was the method they had adopted with regard to the levy of tax. Unfortunately, I am told that the procedure had not been printed. I would like to be enlightened as to how the other States have levied a tax on these matters. Therefore, Sir, the sum and substance of my argument is that clause 5 of this Bill which finds a place in Section 7 of the Central Act may be *ultra vires* of the Central Act. If the Hon'ble

Minister could satisfy me on this aspect, I would be only too happy because there is already a writ in the highest court of the land that we should not go on creating legislation. That would put the parties to the greatest hardship. I would like to have a specific answer to the point whether the tax that is sought to be levied is not intimately or inextricably connected with sections 8 and 9 which are sought to be avoided in view of the Central legislation. My contention is that it is inextricably connected with it. Here it is so inextricably connected that it forms a scheme. Even granting you bring an amendment to tax being levied which is part of that particular Prize Competition, one cannot be divorced from the other. When the Prize Competition may be negated, this may also be affected. Therefore, my respectful submission to the Hon'ble Minister is that it requires legal scrutiny and legal clarification and it is only then I think that we are on very safe grounds. The very purpose of this Bill, as I could see from the Statement of Objects and Reasons, is that there should be a uniform law, and it is with that object that Central legislation came into force. Now, by a looting these amendments from time to time, are we really conforming to that laudable principle of maintaining uniformity?

Sri T. MARIAPPA.—What exactly should we do to recover our taxes?

Sri V. P. DEENADAYALU NAIDU.—Recover legally. Don't put yourself and the parties to the difficulty of going to the Supreme Court off and on. Be clear. Please explain and please convince me. That is all my point. These things should not occur. Just as the Hon'ble Minister takes on his shoulders squarely the responsibility of levying and recovering taxes, I also shoulders the responsibility. It is not an one sided affair. Let my Hon'ble Minister explain to me how he is going to separate this from the Central legislation. I still maintain it is one whole, and that one cannot be separated from the other. When there is prize competition, when the tax is inextricably connected with it, when the previous Act has been negated by the

Centre, the tax which is inextricably connected with it also becomes void. I hope I have made myself very clear.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ (ಗುಬ್ಬಿ).—ಈಗ ಸರ್ಕಾರ ಸಭೆಯಮುಂದೆ ಲಾಟರಿನ್ ಅಂಡ್ ಕಾಂಪಿಟಿಷನ್ ಕಂಟ್ರೋಲ್ ಆಕ್ಟ್ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬಿಲ್ ಇಟ್ಟಿರುವುದು ದೇಶದ ದುರದೃಷ್ಟಿ ಎಂದು ಎನ್ನಿಸುತ್ತದೆ. ಈ ಬಿಲ್ಲನ್ನು ಇಂಟರ್‌ಡ್ಯೂಸ್ ಮಾಡಿದವರು ಗೃಹ ಮಂತ್ರಿಗಳು. ಅವರು ಇದನ್ನು ಇಂಟರ್‌ಡ್ಯೂಸ್ ಮಾಡುವಾಗ ಏನಾದರೂ ಹೇಳುತ್ತಾರೆಂದು ತಿಳಿದಿದ್ದೆ. ಅದರ ಅವರು ಏನೂ ಹೇಳಲಿಲ್ಲ. ಕನ್ ಸಿಡರೇಷನ್ ಮೋಷನ್ ತಂದಾಗ ಅವರು ಇದು ಬಹಳ ಸಿಂಪಲ್ ಆಗಿದೆ ಎಂಬ ಒಪ್ಪಿಕೊಂಡುಬಿಡಿ ಎಂದು ಹೇಳಿದರು. ಅದರ ಇದು ವೈಯಕ್ತಿಕತೆಯಿಂದ ಕೂಡಿದೆ, ಚಿತ್ರ ವಿಚಿತ್ರವಾಗಿದೆ, ಬಣ್ಣ ಬಣ್ಣಗಳಿಂದ ಕೂಡಿದೆ, ಯಾರ ಕಲ್ಪನೆಗೂ ದೂರವಾಗಿದೆ ಎಂದು ಹೇಳುತ್ತೇನೆ. ದೇಶದಲ್ಲಿ ಹಣವಿಲ್ಲ, ಕಾಸಿಲ್ಲ, ದುಡ್ಡಿಲ್ಲ, ಅದು ಮಾಡಬೇಕು, ಇದು ಮಾಡಬೇಕು ಎಂದು ಹೇಳುತ್ತಿರುವಾಗ ಹಣಕಾಸು ಬರಬೇಕಾದರೆ ಯಾವುದಾದರೂ ಒಂದು ಮನೋದಯಿಲ್ಲ ಲುಕ್ಮಾನು ಇದ್ದರೆ ಅದನ್ನು ತೆಗೆಯಬೇಕೆಂದು, ಜನಗಳ ಮನಸ್ಸಿನಲ್ಲಿ ಇರುವ ಸಂಶಯವನ್ನು ಪರಿಹರಿಸಬೇಕು ಎಂದು ಹೇಳಿದರೆ ಅದನ್ನು ಆ ರೀತಿ ಮಾಡಿದರೆ ನನ್ನ ಸ್ನೇಹಿತರಾದ ದೀನದಯಾಳು ನಾಯ್ಡುರವರು ಹೇಳಿದಪರಿಸ್ಥಿತಿ ಉದ್ಭವವಾಗುವುದಿಲ್ಲ. ಇಲ್ಲದಿದ್ದರೆ ಪರಿಸ್ಥಿತಿ ಉದ್ಭವವಾಗುತ್ತದೆ. ಮತ್ಸೂಮ್ ಸುಪ್ರೀಮ್ ಕೋರ್ಟ್ ನವರು ನೆಗೆಟಿವ್ ಮಾಡುತ್ತಾರೆ. ಕಾರಣ ಇಷ್ಟು: ಯಾವುದನ್ನು ನೆಗೆಟಿವ್ ಮಾಡಿದ್ದಾರೋ ಅದಕ್ಕೆ ಮತ್ಸೂಮ್ ಅಮೆಂಡ್‌ಮೆಂಟ್ ತಂದರೆ, it will be negatived again.

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಸುಪ್ರೀಮ್ ಕೋರ್ಟ್ ಏನೂ ನೆಗೆಟಿವ್ ಮಾಡಿಲ್ಲ. ಸುಪ್ರೀಮ್ ಕೋರ್ಟ್ ನಮ್ಮ ಡಿಸಿಷನ್ ಕರೆಕ್ಟಾಗಿದೆ ಎಂದು ಹೇಳಿ ಅವರ ಕೇಸ್ ಡಿಸ್‌ಮಿಸ್ ಮಾಡಿದ್ದಾರೆ. ಶ್ರೀದೀನದಯಾಳು ನಾಯ್ಡುರವರು ಜಡ್ ಮೆಂಟ್ ಕಾಪಿಇಡೆಯೆಂದು ಹೇಳಿದರು ಒಂದಿದ್ದರೆ ಚೆನಾಗಿತ್ತು. It is explicit and clear; nothing has happened in the supreme court. On the other hand his case was dismissed and the stay order was vacated. ಸುಮ್ಮನೆ ಸುಪ್ರೀಮ್ ಕೋರ್ಟಿಗೆ ಸುಮ್ಮನೆ ಏತಕ್ಕೆ ಹೋಗುತ್ತಾರೆ?

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ನಾನು ಹೇಳಿದ್ದರಲ್ಲ ಏನಾದರೂ ಸ್ವಲ್ಪ ಪ್ರೀಯರ್‌ಸಿಂಗ್ ಆಗಿದ್ದರೆ ಏಕೆ ಕೋಪಮಾಡಿಕೊಳ್ಳುತ್ತೀರಿ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಒಂದು ಪೋಷನ್ ಬಿಟ್ಟು ಇನ್ನೊಂದು ಹೇಳಬೇಡಿ. ಫ್ಯಾಕ್ಟ್ಸ್ ತಿಳಿಯುವ ಹಾಗೆ ಹೇಳಿ. ಫ್ಯಾಕ್ಟ್ಸ್ ಈ ಸಭೆ ಅರ್ಥಮಾಡಿಕೊಳ್ಳುವ ಹಾಗೆ ಹೇಳಿ.

Sri V. P. DEENADAYALU NAIDU.—What I say is, in the Supreme Court it has been held in favour of the Government. There is no doubt about it. What I am only referring to is, the State legislation ought not to be misconstrued. I do not want to hide anything from the Government.

Sri A. V. NARASIMHA REDDY (Bangalore South).—This is not a court of law where we can hold brief. We are representatives of the people and we are trying to enact some law.

Sri V. P. DEENADAYALU NAIDU.—Let us be enlightened by the court decisions. Let us not be blind to it and do something against the court decision.

Sri C. J. MUCKANNAPPA.—This is a piece of legislation which may go to a court of law and which may be interpreted otherwise. The validity of this may be questioned. Let not my friend misconstrue things that this piece of legislation will not go before the court. Any legislation passed by this House is subject to being questioned either in the High Court or in the Supreme Court. Let not my friend forget the fact that the Supreme Court or the High Court has the overriding power over legislation passed by this Legislature. Let them know that there are two highest tribunals in the country, one of them is the High Court and the other is the Supreme Court. ಇದನ್ನು ಏಕೆ ಹೇಳುತ್ತಿದ್ದೇನೆಂದರೆ, ಈಗ ತಾನೆ ಹಣಕಾಸಿನ ಮಂತ್ರಿಗಳು ಪ್ರಶೋತ್ತರ ಕಾಬಲ್ಲ ಹೇಳಿದರು, ನಾವು ಬುದ್ಧಿವಂತರು ಇಲ್ಲ ಕಾನೂನುಗಳನ್ನು ಮೇಧಾಶಕ್ತಿಯಿಂದ ಮಾಡುತ್ತೇವೆ ಎಂದು.

ಶ್ರೀ ಚಿ. ವರಿಯಪ್ಪ.—ನಾನು ಹೇಳಿದ್ದು ಏನು, ಅವರು ಹೇಳಿದ್ದು ಏನು? ಕೋಟ್ ಮಾಡಬೇಕಾಗಿ ದ್ದರೆ ಕರೆಕ್ಕಾಗಿ ಕೋಟ್ ಮಾಡಬೇಕು. ಅಪದ್ಧಕ್ಕೆ ಏನಪ್ಪಣೆ ಎಂದರೆ ಬಾಯಿಗೆಬಂದದ್ದೇ ಎನ್ನುವ ಹಾಗೆ ಹೇಳಿದರೆ ಅದು ಚೆನ್ನಾಗಿರುವುದಿಲ್ಲ.

ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—I object to it. ನನ್ನ ಸ್ನೇಹಿತರು ಕಂಟ್ರೋಲ್ ಮಾಡಿಕೊಳ್ಳಬೇಕು. ಶ್ರೀ ನರಸಿಂಹೇಗೌಡರು ಇಂಥಾ ಒಂದು ಕಾನೂನು ಕಟ್ಟಿ ಚರ್ಚೆಗೆ ಬಂದಾಗ ಒಟ್ಟು ಸಭೆಯ ಅಧಿಕಾರ ಪರಿಮಿತಿ ಈರಿತೆ ಇರಬೇಕು ಎಂದು ಹೇಳಿದರು. ಎಲ್ಲಾ ದರೂ ಯಾವಾಗದರೂ ಅನುಮಾನ ಬಂದರೆ, ಆಗ ಸಭೆಯನ್ನು ಗೈಡ್ ಮಾಡುವವರು, ಲೇಗಲ್ ಅಡ್ವೈಸ್ ಕೊಡುವವರು ಅಡ್ವೈಕೇಟ್ ಜನರಲ್. ಅದಕ್ಕಾಗಿ ಅವರನ್ನು ಅಪಾಯಿಂಟ್ ಮಾಡಿದೆ. ಇಂಥ ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಡೌಟ್‌ಯರ್ ಮಾಡಬೇಕು ಎಂದು ಹೇಳಿದರೆ ಅಡ್ವೈಕೇಟ್ ಜನರಲ್ ಏತಕ್ಕೆ ಇರಲಿಲ್ಲ? Why is he not here to clear the doubts that have arisen in the minds of the Hon'ble Members? That is what I want to know. ಅಡ್ವೈಕೇಟ್-ಜನರಲ್ ಇಲ್ಲ ಇಲ್ಲ. ಅದರಿಂದ, he has not cleared the doubts that have arisen in the minds of the members. ಕರೆಸಬೇಕಾಗಿತ್ತು.

11-30 A.M.

ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಕೋಪಮಾಡಿಕೊಳ್ಳಬಾರದು. ಅವರಿಗೆ ಹೇಗೆ ದೇಶದ ಹಿತದೃಷ್ಟಿ ಇದೆಯೋ, ಹಾಗೆಯೇ ನಮಗೂ ಇದೆ. ನಮ್ಮಲ್ಲಿ ತಪ್ಪು ಇದ್ದರೆ, ಅವರು ಹೇಳಲಿ; ನಾವು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇವೆ. ನಮ್ಮಂತೆಯೇ ಅವರು ತಪ್ಪು ಮಾಡಬಹುದು ಎಂದು ನಾವು ನಮ್ಮ ಸಂಶಯಗಳನ್ನು ವ್ಯಕ್ತಪಡಿಸುವುದರಲ್ಲಿ ತಪ್ಪು ಏನಿದೆ? ತಪ್ಪು ಇದ್ದರೆ, ಒಪ್ಪಿಕೊಳ್ಳದೆ, ಏನೇನೋ ಹೇಳುತ್ತಾರೆ; “ಅಪದ್ಧ” ಎಂದು ಹೇಳಿ ಬಿಟ್ಟರೆ ಕಾರಣಗಳನ್ನು ಕೊಟ್ಟು ಹಾಗಾಯಿತೇ? ನಮ್ಮ ಮನಸ್ಸಿನಲ್ಲಿರತಕ್ಕಂಥ ಅನುಮಾನಗಳನ್ನೆಲ್ಲಾ ದೂರಮಾಡಿ, ಅಡ್ವೈಕೇಟ್-ಜನರಲ್ ಇದ್ದಿದ್ದರೆ, ಅವರು ಈ ಮನೂಬೆ ಸರಿಯಾಗಿದೆ ಎಂದು ಹೇಳಿಬಿಟ್ಟರೆ, ನಾವು ವಾದಕ್ಕೆ ಹೋಗದೆ, ನಿಜವಾಗಿಯೂ ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಿದ್ದೆವು. ಹಣಕಾಸಿನ ಮಂತ್ರಿಗಳಲ್ಲಿ ನನ್ನ ಪ್ರಾರ್ಥನೆ ಇಷ್ಟೆ: ನಿನ್ನ ತಾನೆ ಈ ಮನೂಬೆಯನ್ನು ಅವಸರ ಅವಸರವಾಗಿ ತಂದು, ಇವತ್ತು ಎರಡು ಘಂಟೆಗಳಕಾಲ ಚರ್ಚೆಮಾಡುವುದಕ್ಕೆ ಮುಂಚೆ, ಒಪ್ಪಿಕೊಳ್ಳಿ ಎನ್ನುವುದಕ್ಕೆ ಮೊದಲು, ಸುಪ್ರೀಂ ಕೋರ್ಟಿನಲ್ಲಿ ಏನಾಯಿತು ಎನ್ನುವುದನ್ನು ತಿಳಿಸಿ; ಕೋರ್ಟಿನ ಜಡ್ಜ್ ಮೆಂಟಿನಲ್ಲಿ ಏನಾದರೂ ರಿಮಾರ್ಕ್ಸ್ ಪಾಸ್ ಮಾಡಿದ್ದರೆ, ಆ ಟೀಕೆಗಳನ್ನು ಈ ಸಭೆಗೆ ಒದಗಿಸಿ. ಈಗ ನಮ್ಮ ಮುಂದಿರುವ ವಿಷಯ ಬಹಳ ಮಹತ್ವದ ವಾದುದು. ಸರ್ಕಾರಕ್ಕೆ, ಲಕ್ಷಾಂತರರೂಪಾಯಿ ಬರತಕ್ಕಂಥ ಹಣವನ್ನು ಇವತ್ತಿನ ದಿವಸ, ಒಂದು ಆಕ್ಟ್‌ನ್ನು ಅಮೆಂಡ್ ಮಾಡಿ ಕಳೆಯುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡುತ್ತಿದ್ದೀರಿ. ಇದು ಸರಿಯೇ? ನಿಮಗೆ ದೇಶದ ಹಿತದೃಷ್ಟಿ ಇದೆ; ದೇಶಾಭಿಮಾನ ಇದೆ. ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಅಪ್ರತಿಮ ಬುದ್ಧಿವಂತರು; ನ್ಯಾಯವಾದಿಗಳು. ಇಂತಹ ನ್ಯಾಯವಾದಿಗಳ ಕೈಯಲ್ಲಿ ಒಂದು ಸರಿಯಾದ ಆಕ್ಟ್ ಮಾಡಲಕ್ಕೆ ಬರಲಿಲ್ಲವೇ? ಈ ಮನೂಬೆ ಷಷ್ಠಾಪ್ತಕದಲ್ಲಿ ಬಂದಿದೆ. ಇದನ್ನು ತರಬೇಡಿ. ಇದರ ವಿಷಯ ಇನ್ನೂ ಯೋಚನೆಮಾಡಬೇಕು. ಯಾರಿಗೋ ಒಬ್ಬರಿಗೆ ಅನುಕೂಲಮಾಡಲು ತಂದಿರುವ ಹಾಗೆ ಇದೆ. ಇನ್ನೂ ಇದರ ವಿಚಾರ ಆರೋಪಿಸುವುದಕ್ಕೂ, ಯಾರೋ ಒಬ್ಬರಿಗೆ ರಕ್ಷಣೆ ಕೊಡುವುದಕ್ಕೆ ಈ ಶಾಸನವನ್ನು ಮಾಡಿಬಿಟ್ಟರೆ ಏನೂ ಉಪಯೋಗವಿಲ್ಲ.

ಶ್ರೀ ಎ. ಎ. ನರಸಿಂಹರೆಡ್ಡಿ.—ಬುದ್ಧಿ ಇಲ್ಲ.

ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಬುದ್ಧಿ ಕಾಳಿದಾಸನ ಹತ್ತಿರ ಹೋಗಬೇಕು. ಸರ್ಕಾರದವರನ್ನು ಈಗಲೂ ಬಹಳ ವಿನಯದಿಂದ ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. ಈ ಮನೂಬೆಯನ್ನು ತಂದಿರುವುದು ಬಹಳ ಅನ್ಯಾಯ. ಯಾರೋ ಒಬ್ಬರನ್ನು ಉಳಿಸುವುದಕ್ಕೆ ಮಾಡಿದ್ದಾರೆ ಎಂದು ಭಾವಿಸುತ್ತದೆ. ನಮ್ಮ doubts clear ಮಾಡಿ; ನಾವು ಈ ಮನೂಬೆಯನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇವೆ.

ಈ ಬಿಲ್ಲಿಗೆ ಒಪ್ಪಿಗೆ ಪಡೆಯುವುದಕ್ಕೆ ಮುಂಚೆ, ಇದರಲ್ಲಿರುವ ಲಕುನ ರಿಮೂವ್ ಮಾಡಿ. ಈ ಬಿಲ್ಲಿನಿಂದ ಯಾರಿಗೋ ಪ್ರೋತ್ಸಾಹಕೊಡಬೇಕು, ಯಾರನ್ನೋ ಉಳಿಸಬೇಕು ಎನ್ನುವ ಭಾವನೆ ಸರ್ಕಾರಕ್ಕೆ ಇದೆ ಎಂದು ನನಗಿನ್ನುತ್ತದೆ. ಸರ್ಕಾರಕ್ಕೆ ಇದರಿಂದ ಅದಷ್ಟು ಹಣಕಾಸು ಉತ್ಪತ್ತಿಯಾಗುತ್ತದೆ ಎಂದು ತೋರಿಸಿ, ಅಮೇರಿಕೆ ಬಿಲ್ಲನ್ನು ತೆಗೆದುಕೊಂಡು ಬಿಟ್ಟು. ಕಾನೂನು ಕಟ್ಟಲೆಗಳನ್ನು ತಮಗೆ ಬೇಕಾದವರಿಗೆ ಅನುಕೂಲಮಾಡಿ ಕೊಡುವುದಕ್ಕೆ ತರಬಾರದು. ನಿವೇದನಾಪೂರ್ವಕವಾಗಿ ಈ ಬಿಲ್ಲಿನಿಂದ ಸರ್ಕಾರಕ್ಕೆ

ಯಾವರಿತಿಯ ಅನ್ಯಾಯವಾಗುವುದಿಲ್ಲ, ಎಂದು ಹೇಳುವುದಾದರೆ, ನಾವು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇವೆ. 8 ಮತ್ತು 9ನೇ ಸೆಕ್ಷನ್‌ಗಳನ್ನು ಆಕ್ಟಿನಿಂದ ಒಮ್ಮಿಟ್ ಮಾಡಿರುವುದನ್ನು ಪ್ರಸ್ತಾಪಿಸಿ, ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪನವರೂ, ಶ್ರೀ ಶ್ರೀನಿವಾಸಶೆಟ್ಟರೂ ಈ ಅಮೆಂಡ್‌ಮೆಂಟ್ ತಂದಿರುವುದು ಯಾರಿಗೋ ಸಹಾಯ ಮಾಡುವುದಕ್ಕೆ ಎಂಬ ನಂಬಿಕೆಯನ್ನು ಒತ್ತಿ ಹೇಳಿದರು. ಈ ಸೆಕ್ಷನ್‌ಗಳನ್ನು ಬಿಟ್ಟುಬಿಡುವುದಕ್ಕೆ ಕಾರಣವೇನು ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಉತ್ತರ ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಒಮ್ಮಿಟ್ ಮಾಡದೇ ಇದ್ದರೆ ಏನಾಗುತ್ತದೆ ?

Sri T. MARIAPPA.—On account of Central Act, they cannot be in force. ರೆಸಿಸ್‌ನ್ಸ್ ಪೋರ್ಷನ್ ಮತ್ತು ಟ್ಯಾಕ್ಸೇಷನ್ ಪೋರ್ಷನ್ ಎರಡನ್ನೂ ಬೇರೆಬೇರೆಯಾಗಿ ಮನಸ್ಸಿನಲ್ಲಿ ಇಟ್ಟುಕೊಂಡು ಬಿಟ್ಟರೆ ಸಂದೇಹಕ್ಕೆ ಆಸ್ತದಿರುವುದಿಲ್ಲ. ರೆಸಿಸ್‌ನ್ಸ್ ಪೋರ್ಷನ್ ಎರಡು ಸೆಂಟರ್ ಆಕ್ಟಿನಲ್ಲಿದೆ.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ನಮ್ಮ ಶ್ರೀ ಮರಿಯಪ್ಪನವರು ಫೈನಾನ್ಸ್ ಮಂತ್ರಿಗಳಾಗಿರುವುದಕ್ಕಿಂತಲೂ, ನ್ಯಾಯವಾದಿಗಳಾಗಿದ್ದರೆ ಚೆನ್ನಾಗಿತ್ತು ಎಂದು ನನಗನ್ನಿಸುತ್ತದೆ. ನಮ್ಮಲ್ಲಿ ಎಷ್ಟು ಜನ ಭಾರಿ ಭಾರಿ ಕಾಂಪಿಟೇಷನ್ ನಡೆಸುವವರು ಇದ್ದಾರೆ! ಒಬ್ಬರೇ ಎಂದು ಧಾರಾಳವಾಗಿ ಹೇಳಬಹುದು. ಈ “ಡೆಕ್ಲನ್‌ಹರಾಫ್ಟ್”, “ತಾಯಿನಾಡು” ಮುಂತಾದುವೆಲ್ಲ ಬರುವ ನಣ್ಣ ಬಹುಮಾನ ಸ್ಪರ್ಧೆಗಳನ್ನು ಬಿಟ್ಟುಬಿಡಿ. “ನಗುವ ನಂದ”ದಲ್ಲಿ ಬರುವವೂ ಅಷ್ಟೇನೂ ಭಾರಿ ಪ್ರಮಾಣದಲ್ಲ. 100,200 ಜಾಸ್ತಿ ಎಂದರೆ ಸಾವಿರ ರೂಪಾಯಿ ಕಾಂಪಿಟೇಷನ್ ಗಳಿರಬಹುದು. ಬಹುಮಾನ ಸ್ಪರ್ಧೆಗಳಲ್ಲಿ ಲಕ್ಷ, ಲಕ್ಷ ವನ್ನೇ ಒಳಗೆ ಹಾಕುವವರನ್ನು ದೃಷ್ಟಿಯಲ್ಲಿಟ್ಟುಕೊಂಡು ಈ ಮನೋಧೇಯನ್ನು ತರುತ್ತಿದ್ದೀರೋ! ಕಾನೂನು ಮಾಡುವುದು ಯಾವ ವ್ಯಕ್ತಿಯನ್ನೂ ನಾವು ಮನಸ್ಸಿನಲ್ಲಿ ಇಟ್ಟುಕೊಳ್ಳಬಾರದು. ಸಮಾಜದಲ್ಲಿ ಯಾರಾದರೂ undesirable elements ಇದ್ದರೆ, ಅಂತಹವರಿಗೆ ಎಲ್ಲೆಯೂ ಸ್ಥಳವಿರಬಾರದು ಎಂದು ಸರ್ಕಾರದವರು ಹೇಳುತ್ತಾರೆ. ಮೋಸವಾಡಬೇಕು ಎನ್ನುವವನಿಗೆ ಸಹಾಯ ಮಾಡಿದರೆ, he will become an international cheat. ನಿಮ್ಮನ್ನು ಯಾವ ವಿಧದಲ್ಲಿಯೂ ಪ್ರಶ್ನೆ ಮಾಡುವುದಿಲ್ಲ. ನಿಮಗೆ ದೇಶಪ್ರೇಮವಿದೆ, ಕಾನೂನು ಪರಿಶ್ರಮ ಇದೆ. ಆದರೆ ಯಾರೊಬ್ಬರನ್ನೋ ಉಳಿಸುವುದಕ್ಕೆ ಈ ಮನೋಧೇಯನ್ನು ತಂದಿದ್ದೀರಲ್ಲ ಎಂದು ಹೇಳುತ್ತೇನೆ. ನೀವು ಹೋಮ್ ಮಿನಿಸ್ಟರ್ ಆಗಿದ್ದೀರಿ. ಈಗ ಫೈನಾನ್ಸ್ ಮಿನಿಸ್ಟರ್ ಆಗಿದ್ದೀರಿ, ನಿಮಗೆಲ್ಲಾ ವಿಷಯ ಗೊತ್ತಿದೆ. ಆದ್ದರಿಂದ ಇದು ಆಗಬಾರದು, ಇದನ್ನು ಸ್ವಲ್ಪಕಾಲ ಮುಂದಕ್ಕೆ ಹಾಕಿ. ಅಡ್ಮಿನ್‌ಸ್ಟ್ರೇಷನ್ ಜನರರನ್ನು ಕರೆಸಿ, ಅವರನ್ನೂ ಕೇಳಿ. ನೀವೂ ಕುಳಿತುಕೊಂಡು ತೀರ್ಮಾನದ ವಾತಾವರಣದಲ್ಲಿ ಯೋಚನೆಮಾಡಿ. ಅವನರ ಅವಸರವಾಗಿ ಬಿಲ್ಲನ್ನು ತಂದು ಅದಕ್ಕೆ ಒಪ್ಪಿಗೆ ಪಡೆಯಬೇಡಿ. ದನರಾಕ್ಕೆ ಹೋಗುವುದಕ್ಕೆ ಸದಸ್ಯರುಗಳು ಅವಸರದಲ್ಲಿದ್ದಾರೆ. ಷಷ್ಠಾಂಶದಲ್ಲಿ, ಶನಿವಾರದ ದಿವಸ ಈ ಮನೋಧೇಯನ್ನು ತಂದಿರುತ್ತೀರಿ. ಕರ್ಣಾಟಕ ಯೂನಿವರ್ಸಿಟಿ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬಿಲ್ಲನ್ನೂ ಅವಸರದಲ್ಲಿ ತಂದಿರಿ.

Sri T. MARIAPPA.—This is irrelevant.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಈ ಬಿಲ್ಲನ್ನು ಶನಿವಾರ ತಂದುಬಿಟ್ಟಿದ್ದೀರಿ ಅದಕ್ಕೆ ಗ್ರಹಚಾರ ವಕ್ರಾಸಿ ಬಿಟ್ಟಿದೆ. ದೇಶಕ್ಕೆ ಬರುವ ದುಡ್ಡನ್ನು ಕಳೆಯುವುದಕ್ಕೆ ಏಕೆ ಈ ಬಿಲ್ಲನ್ನು ರೆಟ್ರಾಕ್ಟಿವ್ ಆಗಿ 1-4-1956 ರಿಂದ ಎಫೆಕ್ಟಿವ್ ಕೊಡಬೇಕೆಂದು ಇದ್ದೀರಿ? ಹತ್ತು-ಇಪ್ಪತ್ತು ರೂಪಾಯಿ ಯಾರಿಗಾದರೂ ಕೊಡಬೇಕಾಗಿದ್ದರೆ, ಕಾನು-ಕಾನು ಲೆಕ್ಕಾಹಾಕಿ ಗೌರಿಶಂಕರಕ್ಕೆ ಹೋಗುತ್ತೀರಿ. ಲಕ್ಷಾಂತರ ರೂಪಾಯಿ ನಿಮ್ಮ ಕೈಬಿಟ್ಟು ಹೋಗುವಾಗ ಹಿಂದೆ ಮುಂದೆ ನೋಡುವುದಿಲ್ಲವಲ್ಲ! ಈ ಬಿಲ್ಲನ್ನು ಇವತ್ತಿನಿಂದ ಎಫೆಕ್ಟಿವ್ ಕೊಡಿ. ಹಾಗೆ ಮಾಡುವಿದ್ದರೆ ಏನು ತೋರಿಸುತ್ತದೆ? ಇದರ ಹಿಂದುಗಡೆ ಏನೋ ಒಂದು ಪ್ರಬಲವಾದ ಭೂತ ನಿಂತುಕೊಂಡಿದೆ ಎಂಬುದನ್ನು ಅದಕ್ಕೋಸ್ಕರ ನಾನು ನಿಮ್ಮ ಮುಂದೆ ಬಹಳ ಏನೆಯಿಂದ ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. ಈಗಿನ ಬಡ್ಡೆಟ್ ಡಿಫಿನಿಟ್‌ಗ್ಯಾಪನ್ನು ತುಂಬುವುದಕ್ಕೆ ಬರುವ ದುಡ್ಡನ್ನು ಏಕೆ ಕಳೆದುಕೊಳ್ಳುತ್ತೀರಿ? ಶ್ರೀಮಂತರನ್ನು ಏಕೆ ಹೆಚ್ಚಿಗೆ ಶ್ರೀಮಂತರನ್ನಾಗಿ ಮಾಡುತ್ತೀರಿ? ಈ ಕಾನೂನನ್ನು ಬದಿಗೆ ಇಡಿ. 1-4-1956 ರಿಂದ ಎಫೆಕ್ಟಿವ್ ಕೊಡಬೇಡಿ. ಬೇಕಾದರೆ ಇವತ್ತಿನ ದಿವಸದಿಂದ ಎಫೆಕ್ಟಿವ್ ಕೊಡುವುದಕ್ಕೆ ಮನಸ್ಸುಮಾಡಿ. ನಾನೇನು ಬಿಲ್ಲನ ಎಲ್ಲಾ ಅಂಶಗಳ ಮೇಲೆ ಇಲ್ಲಿ ಮಾತನಾಡುವುದಿಲ್ಲ. ದುಡ್ಡು ಹೋಗುತ್ತಿದೆಯಲ್ಲಾ ಎಂಬ ಹೊಟ್ಟೆಲಿರಿ ನನಗೆ ಆಗುತ್ತಿದೆ. ಅದಕ್ಕೋಸ್ಕರ ನಿಮಗೆ ನಮ್ಮ ಆರ್ಗ್ಯುಮೆಂಟ್ ಸರಿ ಯಾಗಿದೆಯೆಂದು ಕಂಡುಬಂದರೆ 1-4-1956 ರಿಂದ ಎನ್ನ ತಕ್ಕಂಥಾದ್ದನ್ನು ಡಿಲೇಟ್ ಮಾಡಿ. ಯಾವತ್ತು ಗೌರ್ನರ್ ಅವರ ಅಸೆಂಟ್ ತೆಗೆದುಕೊಳ್ಳುತ್ತೀರೋ ಅಪೊತ್ತಿನಿಂದ ಈ ಮನೋಧೇಯನ್ನು ಜಾರಿಗೆ ತನ್ನಿ. ನಿಮಗೆ ಬರುವ ಹಣಕಾಸನ್ನು ವಸೂಲುಮಾಡಿ, ಅದನ್ನು ದೇಶಾಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ಕೋಸ್ಕರ ಉಪಯೋಗಿಸಿ. ಮಂತ್ರಿಗಳು ನಮ್ಮ ಸಲಹೆಗಳಿಗೆ ಒಪ್ಪಿಗೆ ಕೊಡುತ್ತಾರೆಂದು ನಂಬಿ ನನ್ನ ಭಾಷಣವನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

*Sri M. RAMAPPA (Harihar).—Sir, the Statement of Objects and Reasons says that the Central Act has come into force on 1st April 1956. Now sections 8 and 9 are sought to be repealed under this Bill on the ground that sections 4 and 5 are almost synonymous with our sections 8 and 9. I am very doubtful about that. One more point is, if any offences have been committed prior to 1st April 1956 when this Act was in force after which date only the Central Act has come into force, how can we take action against offences committed prior to 1st April 1956 if these two sections are omitted?

Sri T. MARIAPPA.—Please read clause 6 of the Bill: ‘Savings’.

Sri M. RAMAPPA.—This is an amendment which is sought to be introduced with the best of motives to avoid certain legal impediments and

(SRI M. RAMAPPA)

the Government must be equally interested to clear any misapprehensions in the general public. I therefore request the Hon'ble Minister to get the Advocate-General here and ask him to convince this House and also the general public as to the necessity for this amending Bill.

*SRI G. ANNA RAO (Afzalpur).—Mr. Speaker Sir, I feel that a plethora of laws covering the same subject are being brought before this House. I feel Sir, that there is one aspect which has to be clarified as stated by Sri Deenadayalu Naidu. The Central Act has come into operation in this State. Not only this State, but other States also have adapted the Central Act. As contended by the Hon'ble Minister, the licensing is done under the Central Act and also the contraventions which are considered to be punishable under the Central Act, find a place in the Central Act itself. Therefore, I see Sir, in this Act,—I am subject to correction—that licencing also is done under the Mysore Lotteries and Prize Competitions Act under section 5. It covers lotteries and there is a condition that a promoter shall obtain a licence and any contravention by a promoter or a licensee of the provisions of section 5, is punishable under the various sub-clauses. Therefore I feel Sir, that this is a concurrent legislation on parallel lines which is bound to give room for some doubt in due course, if any person affected by these laws goes to a court.

In the Supreme Court Ruling, it has been laid down that this is one indivisible subject and therefore, if there are two legislations, no overlapping should take place and duplication also should not take place. Now I hear from the Hon'ble Minister that the penal provisions will be enforced under the Central Act and taxation provisions will be enforced under the State Act. I do not know the propriety of this action. The licence will be obtained under the Central Act and taxation will be imposed under the State Act; and if any of the sections of this Act are contravened, we will have to go to the Central Act for punishing the

offender. This is a situation wherein there is a certain amount of repugnance and the two Acts will concurrently affect the State sector. I feel Sir, that when the Central Act came into operation, it was necessary that the Central Government should have consulted the States and the States would have given their opinion thereon. Therefore, if there are no provisions regarding taxation in the Central Act, then the State Governments ought to have suggested to the Centre for different kinds of taxation to be levied under the State Lotteries or Prize Competition Act. This is an Act which only applied to the old Mysore State and which is now being amended. I want to ask the Hon'ble Minister as to how this will be applicable to the new State of Mysore where many of the areas have merged together. The old Act contains in the very title a provision laying down that this Act may be called the Mysore Lotteries (Control and Taxation) Act, 1951. When this Act was passed, it was the old Mysore State which was in existence. How this can be amended and how it can be made applicable to the whole State of Mysore as it exists at present, I am unable to understand.

Moreover, I feel Sir, that this prize competition is going on in this State since 1948 and it is a matter which has come up more than once in this House and also in the Legislative Council, wherein many objections have been taken and I am told that there are cases pending before the court about the accounts and about the difference in the taxation which Government has levied and in some cases, accounts have not even been finalised so far. In these circumstances, I do not know how arrears of tax will be recovered from the defaulters. At any rate, I feel that if the Old Mysore Act which is still in operation continues, then there will be duplication. We should adopt the Central Act and if there are any shortcomings in the old Mysore Act, we may suggest to the Centre to incorporate the provisions which are required under this Act, instead of having a separate Act for Mysore and thereby incurring

doubts and later if any of the persons affected by this law goes to the court, then it is a question of interpretation or misinterpretation and ultimately it may affect the State's resources and its capacity to tax such ventures.

I also feel that it would have been better if the Government had advised the Advocate General to come to this House. He is also a member of the House. He could have been asked to come and explain the situation before this House so as to satisfy the Members. Hence I feel that we are faced with several legal complications. I have heard the arguments of the Hon'ble Members of this House. Even Government has admitted in the Statement of Objects and Reasons that "some doubts were felt as to whether the prize competitions conducted in the State subsequent to 1st April 1956 are liable to taxation under the Mysore Act." Government are not sure on the point. If the legal luminaries of Government had examined the situation, then these doubts would have been confirmed. So I feel that there are really some legal complications and I hope the Hon'ble Minister will elucidate the points raised by various members of this House.

*Sri T. MARIAPPA.—Mr. Speaker, Sir, I am indeed sorry that the whole scope of the amending Bill has been misunderstood, perhaps intentionally. Unfortunately, what is stated in the Statement of Objects and Reasons is sought to be construed in a manner which does not admit of that different interpretation. What is stated in the Statement of Objects and Reasons is this:

"The Prize Competitions Act, 1955, having become effective in Mysore State from 1st April 1956, some doubts were felt as to whether the prize competitions conducted in the State subsequent to 1st April 1956 are liable to taxation under the Mysore Lotteries and Prize Competitions Control and Tax Act, 1951. In order to resolve the doubts and to enable the State to levy and collect the taxes on these competitions, it was considered necessary to

amend the Mysore Lotteries and Prize Competitions Control and Tax Act, 1951. As the matter was urgent an Ordinance amending the Act for the purpose was promulgated."

In the mind of Government there were no doubts of the kind which were sought to be explained away in the House. The real doubt in the mind of Government was whether the prize competitions conducted in Mysore State from 1-4-1956 by anybody are taxable or not. I must beg of the House not to keep any individuals in mind. Prize competitions may have been conducted in this State by whomsoever. It may be X, Y or Z. That is immaterial to us, because we are legislating not for individuals but for those who have conducted these prize competitions. The question is whether they should be liable to tax under the old Mysore Act. I want this House to make a distinction between licensing and taxing. The question of licensing is under the Central Act after the Central Act came into force. The tax levied is at the rate of 12½ per cent, but the licence fee is very small under the Central Act. If you want to levy a tax, you can levy it only under an Act and the Act which is in force for taxing is only the Mysore Act of 1951. So subsequent to 1-4-1956 if anybody has conducted any prize competition he can be taxed only under the Mysore Act, 1951. I want this to be kindly borne in mind. I want that Government should have the power to levy this tax. But how cleverly one of the Hon'ble Members said: "we want to collect money, we do not want anybody to escape, but let the Act come into force from today or from the day when the Governor gives his assent to this Act." Does he imagine that the other members do not carry any sense with them? If the Act is to come into force from today or from the day the Governor gives his assent to it, the whole taxation will be frustrated and we will not be able to collect a single pie.

Sri. C. K. RAJAIHA SHETTY (Chicknaikanahalli).—When the Government of India Act was put into force did this point not arise?

Sri T. MARIAPPA.—Even though the Central Act was brought into force, when the Supreme Court issued the stay order it ceased to be operative. Kindly consider that aspect. So when it was not in operation prize competitions were conducted. Now I request the House to give power to Government to tax the prize competitions conducted when the Central Act was not in operation.

Sri G. ANNA RAO.—These taxes are remaining outstanding since 1948. What has Government done about that?

Sri T. MARIAPPA.—We have taxed and we have collected. The only question now is about the tax leviable on prize competitions conducted after 1-4-1956. I would like to make it clear that there is no difficulty whatever for the tax outstanding up to 1-4-1956. We have got the power to collect that tax under the old Mysore Act. So the only question is about competitions conducted after 1-4-1956.

Sri G. ANNARAO.—Even for the period before 1-4-56 the tax has not been finally collected.

Sri T. MARIAPPA.—We have taxed, but as I have said, that matter is *sub judice* and it is being adjudicated. We stand or fall according to the decision of the court in that case. Whatever might have been the situation up to 1-4-56, there is enough provision to meet it under the old Act and we can deal with it under the old Act. As the matter, as I said, is *sub judice* I do not want to dilate upon it any longer.

Now I will come to the next question as to whether the legislation is valid or invalid. I can assure the House that this is a valid legislation. The power of this House is not fettered in any manner whatever to bring this amendment with regard to taxation. We have taken the advice of not only the Law Department but also the Advocate General. The opinion of the Advocate General in this case is before me.

Sri U. M. MADAPPA.—Is it not a fact that the State Government is empowered by the Central Act to frame rules?

Sri T. MARIAPPA.—We can frame rules. The point that I want the

House to bear in mind is that licensing and taxing are two entirely different things and therefore there is no reason why anybody should have a confused opinion with regard to that point.

With regard to the question of valid or invalid legislation, I do not know what exactly was in the mind of my friend Sri Deenadayalu Naidu to put forward such an argument in this House. He repeatedly contended that this amending Bill might become invalid and that we should have moved the Centre to bring in the necessary amendment. I wish he had exercised a little more patience. That argument never came from the Opposition side. They were only concerned to see that nobody escaped from taxation by this measure. My friend Sri Deenadayalu contended that under the Central Act there was provision for licensing and we could act under that; but, under that Act there is no provision for levying a tax. I want to make it very clear that what the Central Act contemplates is merely licensing and the prize amounts of those competitions should not exceed Rs. 1,000. The Hon'ble Member forgets that during that time prize competitions were held giving prizes of Rs. 1 lakh and more.

Sri V. P. DEENADAYALU NAIDU.—Rs. 2,70,000.

Sri T. MARIAPPA.—We are merely concerned with legislation here. Let him show any provision under the Central Act by which we can get the power to tax and levy the tax. If an attempt is merely made to approach the Government of India to amend the Central Act then practically the whole thing will be infructuous and I for one am not prepared to give up our right. I think the House is very zealous of its power to tax and so there is no question of approaching the Centre at all.

12 Noon

In fact, Sir, Parliament enacted the Central Act not on its own initiative, but on the request of States like Bombay, Madras, Andhra, Bihar, Orissa, Saurashtra, Patiala and East Punjab Union, etc. It is only Mysore that adopted the Act. Therefore, there is

practically no meaning in either this House or the Mysore Government approaching the Centre to amend the Central Act. It does not serve our purpose at all. The real crux of the problem is this: whether the House wants to levy the tax on all those who have conducted prize competitions from 1st April 1956 onwards. That is the main point.

Sir, we could certainly take action, if anybody had conducted prize competitions and the Central Act had been in force. But the Supreme Court had stayed that Act. Therefore, the parties and individuals were free to conduct prize competitions. They did not offend any law in force because the Central Act was not in force. The Supreme Court had stayed it and nothing could be done. Now that stay order has been vacated and we got the right to tax.

Section 15 to the Act says: The following proviso shall be added: Provided that in case of every prize competition conducted between the 31st day of March 1956 and the 31st day of August 1957, the promoter shall submit to the Deputy Commissioner, such accounts as are maintained". I beg of you not to think of X, Y, or Z. This amendment was necessitated because granting that X, Y or Z refused to submit accounts because the law was not in force, there is nothing that we could do.

Now with regard to the savings clause; clause 6. We want to keep intact all the provisions upto 1st April 1956. Therefore there need be no apprehension whatever that any of the provisions of the old Act has been rendered nugatory or invalid. They are still intact upto a certain period. From the period that the Central Act came into force, the provisions will be there and for the period for which that was suspended, when the State Government had no power to collect the tax, the question is whether the House gives them the power to tax those who conducted prize competition. Let us not simply confuse the issues, by saying that X, Y or Z conducted prize competitions.

An argument was advanced that with a view to aid certain persons, this provision is being brought in. Sir, it takes my breath away to answer that particular point. If such was our intention, we could have simply kept quiet and not collect the tax. It is not a question of favouring persons. It is not a question involving a few thousands, but it is a question involving lakhs. Therefore we should not be found fault with for being very negligent about our job. My two friends opposite have correctly guessed, but of course incidentally wanted to deal with other matters. But they caught the real point, particularly Sri Srinivas Shetty, who said that if it was the intention of the Government to rectify a lacuna, he would not like to come in the way. That is indeed a straight forward answer. On the other hand, I find several other arguments saying that there is over-lapping, there is invalidity and therefore "what shall we do"? Sir, shall we sit here with folded hands? If the law is bad, let it be tested in a court of law. It does not matter. We have taken counsel from the highest quarters. Government have had the opinion of the Law Department, the Advocate-General and had considered it thoroughly in the Cabinet. We put our heads together and ultimately came to the conclusion that amending the law was the only course open to us, if we wanted to collect the taxes. That is what we have done.

Sir, I would once again stress that there is no difficulty up to 1st April 1956. The parties concerned have not put serious obstacles so far as competitions up to 1st April 1956 are concerned. It is only with regard to competitions conducted subsequent to 1st April 1956, they want to make use of the law. They are asking "under what law are you going to demand that we pay the tax". We cannot give them an answer as yet. Without realising its implications, my friend Sri Muckannappa demanded that the amendment should take effect from the date of the Governor's assent. Who wants such a thing? Do the people who conducted competitions want it?

(SRI T. MARIAPPA)

Are we going to play into their hands? The Government wants to collect every pie due to it. If you are really interested, please do not try to wreck the whole thing. At least we are not going to fall into that trap. We will not be taken in by such arguments. The House is fully aware that the taxes due to Government must be collected. Since the ordinance was issued, at least our officers were able to issue notices. Then we were able to take the next step. That was the urgency. Otherwise, if your idea is that we should merely keep quiet with regard to prize competitions from 1st April 1956 and go on looking helplessly, that is a different matter. If the House thinks that taxes due from 1st April 1956 must be collected, this amendment becomes necessary. I therefore beg of you not to read more meaning than what is in it.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಸೆಂಟ್ರಲ್ ಆಕ್ಟನ್ನು ಮೈಸೂರು ಸ್ಟೇಟ್‌ಗೆ ತರುವ ವಿಷಯವಲ್ಲ. ಈ ಸಭೆಯಲ್ಲಿ ಹಿಂದೆ ಪಾಸ್‌ನಾಗಿರತಕ್ಕ ಮಸೂದೆಯಂತೆ ಇದನ್ನು ಜಾರಿಗೆ ತರಬಹುದಲ್ಲವೇ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಸುಪ್ರೀಂ ಕೋರ್ಟಿನಲ್ಲಿ ಸ್ಟೇ ಆಯಿತು. ಆ ಸ್ಟೇ ಆದ ಪಿರಿಯಡ್‌ಗೆ ಅದು ವಜಾ ಆಗುವವರೆಗೆ ಎಂದು ಮಾತ್ರ ಇಲ್ಲರವರು.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಸ್ಟೇ ಮಾಡುವುದಕ್ಕಲ್ಲ, For the time being. It is being suspended ಎನ್ನುವ ವಿಷಯವಲ್ಲ.

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಅದೇ ವಿಷಯವನ್ನೇ ಹೇಳುತ್ತಿರುವುದು. ಏಪ್ರಿಲ್ 1ನೇ ತಾರೀಖು 1956ರಿಂದ ಮೇ 1ನೇ ತಾರೀಖು 1957ರ ವರೆಗೆ ಸ್ಟೇ ಆಗಿ ಅನಂತರ ವಕೀಲು ಆಯಿತು. ಹಾಗೆ ಸ್ಟೇ ಆದುದಕ್ಕೋಸ್ಕರವೇ ಏಪ್ರಿಲ್ 1ನೇ ತಾರೀಖು 1956ರಿಂದ ಆಗಷ್ಟು 1957ರ ವರೆಗೆ ಟ್ಯಾಕ್ಸ್‌ನ್ನು ವಸೂಲು ಮಾಡಲು ಅಧಿಕಾರವನ್ನು ಕೊಡಿ ಎಂದು ಕೇಳುತ್ತಿರುವುದು. ಇದರಲ್ಲಿ ಇನ್ನೇನೂ ಇಲ್ಲ ಎನ್ನುವುದು ತಮಗೂ ಗೊತ್ತಿದೆ ಮತ್ತು ಅರ್ಥವಾಗುತ್ತದೆ. ಇದರಲ್ಲಿ ಎ. ಬಿ. ಸಿ. ಟು ಜಡ್. ವರೆಗೆ ಇದೆ ಎಂದು ಯಾರೂ ತಿಳಿದುಕೊಳ್ಳಬಾರದು. ಜನರಲ್ ಆಗಿ ಇದರಲ್ಲಿರುವ ಅರ್ಥವನ್ನು ತಪ್ಪಾಗಿ ಯಾರೂ ತಿಳಿದುಕೊಳ್ಳಬಾರದು. ಯಾರೋ ಒಬ್ಬರ ವಿಷಯವನ್ನು ಮನಸ್ಸಿನಲ್ಲಿ ಇಟ್ಟುಕೊಂಡು ಹೇಳಬಾರದು. They are not at all germane to the discussion on the Bill. It is a general one. When Government had no power to levy for a particular period, we now ask that such powers may be given now. These powers we would have normally exercised, but for the stay order.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಈಗ ತಾವು ಸೆಂಟ್ರಲ್ ಆಕ್ಟು ಸಸ್ಟೆಂಡು ಆಗಿದ್ದು ಎಂದು ಹೇಳಿದಿರಿ. ಮೇ 1ನೇ

ತಾರೀಖು 1957ರ ವರೆಗೆ ಆಗಿತ್ತು ಎಂದೇ ಯೋಚನೆ ಮಾಡೋಣ. ಆ ಸಂದರ್ಭದಲ್ಲಿ ನಮ್ಮ ಆಕ್ಟಿನ ಪ್ರಕಾರ ಲೆವಿ ಮಾಡುವುದಕ್ಕೆ ಎಂದರೆ, ಮೈಸೂರು ಆಕ್ಟಿನ ಪ್ರಕಾರ ವಸೂಲುಮಾಡುವುದಕ್ಕೆ ಅಧಿಕಾರವಿದೆ. ಹೀಗಿರುವಾಗ 1956ನೇ ಇಸವಿಯಿಂದ ಎಂದು ಹೇಳುವಾಗ ಇಲ್ಲಿ ಮಾಡಿರುವ ಸೆಕ್ಷನ್ನು 8, 9 ಎಂದು ಹೇಳಿದರೆ ಸೆಂಟ್ರಲ್ ಆಕ್ಟಿಗೆ ಜಾರಿಯಲ್ಲಿರುವುದಿಲ್ಲ ಮತ್ತು ಇಲ್ಲಿ ಡಿಲೇಟು ಮಾಡಿದಂತಾಗುತ್ತದ್ದಲ್ಲವೇ?

Sri T. MARIAPPA.—I want to give a general answer. I will be treading on very dangerous grounds in this particular case. Suppose we have refused a licence after 1st April 1956 and in the face of that refusal a person still conducted prize competitions because the whole thing has been suspended. You envisage such a situation. What are we to do under those circumstances? Now, you please read the Mysore Act. You can tax if you have issued a licence. It provides: "There shall be levied in respect of every lottery for which a licence has been obtained." We could have collected the tax. Suppose the licence has been refused, we can only tax if the amending Bill is passed.

Sri G. ANNA RAO.—When the Supreme Court stayed the operation of the Central Act, that stay order is applicable equally to all the other States also. So, what have the other States done in this behalf? Have they passed such an amending Bill?

Sri T. MARIAPPA.—Sri Annarao must know better. The situation has arisen only in old Mysore and Bangalore. Probably, in the other States the prizes involved are very small. I am not aware of the situation in other States. So far as the old Mysore State is concerned, this amending Bill is warranted. I have already stated that certain suits are pending and therefore the matter is *sub judice*. So, I do not want to tread on dangerous grounds. We have been advised that this amending Bill is absolutely necessary. Otherwise, we will not be able to recover a single pie.

Sri C. K. RAJAIH SETTY.—You have stated in the Statement of Objects and Reasons that the Central Act came into force from 1st April 1956. If that is so, will it not come

into effect immediately in this State also?

Sri T. MARIAPPA.—No, unless this State adopts it. I shall read the preamble itself.

“WHEREAS it is expedient to provide for the control and regulation of prize competitions; AND WHEREAS the Legislatures of the States of Andhra, Bombay, Madras, Orissa, Uttar Pradesh, Hyderabad, Madhya Bharat, Patiala and East Punjab States Union and Saurashtra have passed resolutions in terms of clause (1) of article 252 of the Constitution in relation to the abovementioned matter and matters ancillary thereto in so far as such matters are matters enumerated in List II in the Seventh Schedule to the Constitution;”

It was on the request of these States that it was passed. The Mysore State was not a party to it. Subsequently, we have adopted it. Therefore, it came in to force here also.

Sri V. P. DEENADAYALU NAIDU.—Upto 1st April 1956 our Act was in force and from 1st April 1956 this was brought into force by accepting a resolution; but its operation was stayed by the Supreme Court. After the Central Act came into force, it is in force here also from 1st April 1956. Are we having two sets of rules one under our Mysore Act of 1951 and another under the Central Act?

Sri T. MARIAPPA.—I do not want to answer my friend elaborately. This much is clear that so far as the regulation is concerned, it is under the Central Act and so far as taxation is concerned, it is under our Act.

Sri V. SRINIVASA SHETTY.—Are we to understand that this Bill is brought forward in order to recover the tax from those persons who are running lotteries, crossword puzzles, etc., without a licence?

Sri T. MARIAPPA.—Certainly.

Sri M. RAMAPPA.—Sir, it is quite clear that this Bill covers the period between 1st April 1956 and August 1957. But what about the offences

committed before 1st April 1956? If section 9 is repealed, how can we take action in respect of offences committed before 1st April 1956? The Central Act comes into force from 1st April 1956 only. I am very doubtful on this point. I, therefore, request the Minister to consult the Advocate General on this point.

Sri T. MARIAPPA.—There is no difficulty whatsoever. So far as offences committed before 1st April 1956 are concerned, there is corresponding provision for punishment. I go a step further and say that section 6 of the General Clauses Act covers all those previous offences.

This is purely of academic interest. The second thing is, sections 8 and 9 have been deemed to have been omitted with effect from 1st April 1956. Prior to that date, they will certainly be in force. There is another provision of the General Clauses Act. Section 6 of the Mysore General Clauses Act will apply with reference to previous offences. They will take action as if Sections 8 and 9 have been repealed. There is no difficulty. We have looked into all aspects of the question. In this particular case, we are doubly careful.

Mr. SPEAKER.—The question is:

“That the Mysore Lotteries and Prize Competitions Control and Tax (Amendment) Bill, 1957, be taken into consideration.”

The motion was adopted.

Mr. SPEAKER.—Clause 2. There is an amendment.

Sri U. M. MADAPPA.—I beg to move the following amendment:

“After the words ‘permutation of letters, words or figures in the proposed Section 2 (e) ‘for which the solution is prepared beforehand by the promoters of the competition or for which the solution is determined by lot’ shall be added.”

Mr. SPEAKER.—Amendment moved:

“After the words ‘permutation of letters, words or figures’ in the

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proposed Section 2 (3) 'for which the solution is prepared beforehand by the promoters of the competition or for which the solution is determined by lot' shall be added."

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಸಭೆಯ ಮುಂದೆ ಸಮುದ್ದೇಶದಿಂದ ತಂದಿದ್ದೇನೆಂದು ನಾನು ಸಭೆಯ ಗಮನಕ್ಕೆ ತರುವುದಕ್ಕೆ ಇಷ್ಟ ಪಡುತ್ತೇನೆ. ಈಗ ಸರ್ಕಾರದವರು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿರುವುದರಿಂದ ಸಾರ್ವಜನಿಕರಿಗೆ ತೊಂದರೆ ಯಾಗುತ್ತದೆ ಮತ್ತು ಯಾರು ಪ್ರೈಜ್ ಕಾಂಪಿಟಿಷನ್ನು ಅಥವಾ ರಾಜೀಯನ್ನು ನಡೆಸುತ್ತಾರೋ, ಅವರು ಸಾರ್ವಜನಿಕರಿಗೆ ಮೋಸಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ ಎಂದು ಸಭೆಯ ಗಮನಕ್ಕೆ ತರುವುದಕ್ಕೆ ಇದಕ್ಕೆ ಪಡುತ್ತೇನೆ.

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—"Prize Competitions defined in the Central Act" ಒಡಿ.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಈಗ ತಂದಿರತಕ್ಕ ಮನೂದೆ ತಿದ್ದುಪಡಿಯ ಪ್ರಕಾರ ಎರಡನೇ ಕ್ಲಾಜಿನಲ್ಲಿ:

"For sub-clause (e) of sub-section (1) of section 2 of the Mysore Lotteries and Prize Competitions Control and Tax Act, 1951 (Mysore Act XXVII of 1951) (hereinafter referred to as the principal Act), the following sub-clause shall be substituted and shall be deemed to have been substituted with effect from the first day of April, 1956, namely,—

(e) 'prize competition' means any competition (whether called a crossword prize competition, a missing word prize competition, a picture prize competition or by any other name) in which prizes are offered for the solution of any puzzle based upon the building up, arrangement, combination or permutation, of letters, words or figures;"

ಎನ್ನುವುದು ಇದೆ. ಮುಂದಕ್ಕೆ

"for which the solution is prepared beforehand by the promoters of the competition or for which the solution is determined by lot' shall be added" ಎಂದು ನನ್ನ ತಿದ್ದುಪಡಿ.

ಕೇಂದ್ರದ ಆಕ್ಟಿನಲ್ಲಿ ಇದಕ್ಕೆ ಅವಕಾಶವಿದೆ ಎಂದು ಮಂತ್ರಿಗಳು ಹೇಳುತ್ತಾರೆ. 1956ನೇ ಇಸವಿಯಿಂದ ಇಲ್ಲಿಯ ವರೆಗೂ ಈ ರೀತಿ ಸೊಲ್ಯೂಷನ್ ಮಾಡದೇ ಇದ್ದ ಕೆಲಸಗಳು ಇದ್ದರೆ ಏನಾಗುತ್ತದೆ ಎನ್ನುವ ಒಂದು ಪಾಯಿಂಟ್ ಇದೆ. ಅದರಿಂದ ಇದನ್ನು

ಡಿಲೇಟ್ ಮಾಡುವುದರಿಂದ ಕೆಲವು ವ್ಯಕ್ತಿಗಳು escape ಆಗುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ. ಈ ದೃಷ್ಟಿಯಿಂದ ನಾನು ನನ್ನ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದೇನೆ. ಸೊಲ್ಯೂಷನ್ ಮೊದಲೇ ತಯಾರು ಮಾಡದೇ ಇದ್ದರೆ ಸಾರ್ವಜನಿಕರು ಮಾಡಿದ್ದು ತಪ್ಪು ಎಂದು ಬದಲಾಯಿಸುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ, ದುಡ್ಡು ಹೊಡೆಯುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ. ಎಲ್ಲಾ ಸಮುದ್ದೇಶಗಳನ್ನಿಟ್ಟು ಕೊಂಡು ಸರಕಾರದವರು ಈ ಬಿಲ್ಲನ್ನು ತಂದಿದ್ದಾರೆ. ಅದರಿಂದ ಈಗ ಇದು ಬೇಡ ಎಂದು ತಾವು ಹೇಳುತ್ತಾ ಇರುವುದಕ್ಕೆ ಸಾಕಾದಷ್ಟು ಕಾರಣಗಳು ನಕ ಇಲ್ಲ ಎಂದು ತಿಳಿದು ಕೊಂಡಿದ್ದೇನೆ. ಇದನ್ನು ಕೇಂದ್ರದ ಆಕ್ಟಿನಲ್ಲಿ ಕೇರಿಸುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲ ಎಂದು ಹೇಳುತ್ತೇನೆ. ಕೇಂದ್ರದ ಆಕ್ಟ್ ಪ್ರಕಾರ ಲೈಸೆನ್ಸ್ ಕೊಡುವುದಕ್ಕೆ ಸ್ಟೇಟ್ ಗಾರ್ ಮೆಂಟ್‌ಗೆ ಅಧಿಕಾರವಿಲ್ಲ. ಜನರಲ್ಲಾಗಿ ಕೆಲವು ಕಂಟ್ರೋಲ್ ಇಟ್ಟು ಕೊಂಡಿದ್ದಾರೆ ಯೇ ಏನಾ ಟ್ಯಾಕ್ಸ್ ಹಾಕುವುದಕ್ಕೆ ಲೈಸೆನ್ಸ್ ಕೊಡುವುದಕ್ಕೆ ಯಾವರೀತಿ ಪ್ರೈಜ್ ಕಾಂಪಿಟಿಷನ್ ಕಂಡಕ್ಟ್ ಮಾಡಬೇಕು ಎನ್ನುವುದಕ್ಕೆ ಜನರಲ್ ರೂಲ್ಸ್ ಮಾಡಲು ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದಾರೆ. ಈ ದೃಷ್ಟಿಯಿಂದ ಆಕ್ಟಿನಲ್ಲಿ ಇಲ್ಲದಿರುವುದನ್ನು ರೂಲ್‌ನಲ್ಲಿ ಪ್ರೊವೈಡ್ ಮಾಡೋಣ ಎಂದು ಮಾಡಿದ್ದಾರೆ. ರೂಲ್‌ನಲ್ಲಿ ಪ್ರೊವೈಡ್ ಮಾಡುವ ಹಕ್ಕಿದ್ದರೆ ಆಕ್ಟಿನಲ್ಲಿ ಏತಕ್ಕೆ ಒಪ್ಪಿಕೊಳ್ಳಬಾರದು? ಇದಕ್ಕೋಸ್ಕರ ರೂಲ್ಸ್ ಮಾಡೋಣ ಎಂದರೆ ನಿಮ್ಮ ಅಧಿಕಾರ ಕಿತ್ತು ನಮಗೆ ಕೊಡಿ ಎಂದು ಹೇಳುವ ಹಾಗೆ ಆಗುತ್ತದೆ. ಈ ದೃಷ್ಟಿಯಿಂದ ತಂದಿದ್ದೇನೆ.

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಪ್ರೈಜ್ ಕಾಂಪಿಟಿಷನ್ ಎಂದು ಏನು ಹೆಸರು ಆಕ್ಟಿನಲ್ಲಿ ಡೆಫಿನಿಷನ್ ಇದೆಯೋ ಅದನ್ನು ಸೆಂಟ್ರಲ್ ಆಕ್ಟ್ ಜಾರಿಗೆ ಬಂದ ಮೇಲೆ ಇಟ್ಟು ಕೊಳ್ಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬಿಲ್ ತಂದ ತಕ್ಷಣ incidental ಅಮೆಂಡ್‌ಮೆಂಟ್ ಕೂಡ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಪ್ರೈಜ್ ಕಾಂಪಿಟಿಷನ್ ನಲ್ಲಿ ಏನು ಡೆಫಿನಿಷನ್ ಇದೆಯೋ ಅದಕ್ಕೆ inconsistent ಆಗಿ ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಯಾವಾಗ ಸೆಂಟ್ರಲ್ ಗೆಜೆಟ್‌ಮೆಂಟ್ ಆಕ್ಟನ್ನು ಆಡಾಪ್ಟ್ ಮಾಡಿ ಕೊಳ್ಳುತ್ತೇವೋ, ಯಾವಾಗ ಅದು ನಮ್ಮ ಸ್ಟೇಟ್ ನಲ್ಲಿ ಜಾರಿಗೆ ಬಂತೋ ಆಗ ಅಲ್ಲಿ ಒಂದು ಡೆಫಿನಿಷನ್ ಆಫ್ ಪ್ರೈಜ್ ಕಾಂಪಿಟಿಷನ್, ಇಲ್ಲಿ ಬೇರೆ ಒಂದು ಇರುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ. ಜೊತೆಗೆ ಪ್ರೈಜನ್ನು ಒಂದು ಸ್ಟಾಪ್‌ರೂಪಾಯಿ ಮೇಲೆ ಕೊಡಕೂಡದು ಮತ್ತು entries shall not exceed 2,000 ಎಂದು ಮಾಡಿದ್ದರಿಂದ ಟ್ಯಾಕ್ಸ್‌ಮನ್ ಯೋಚನೆ ಮಾಡಲಿಲ್ಲ. ಮೊದಲು ಲಕ್ಷ ಗಟ್ಟಲೆ ದುಡ್ಡು ಕೊಡುತ್ತಿದ್ದರು. ಅದು ತಪ್ಪಿಹೋಯಿತು. ಅದರಿಂದ ಬರೀ ಲೈಸೆನ್ಸ್ ವಿಷಯ ಆರೋಚನೆ ಮಾಡಿದರೆ ಏನಾ ಟ್ಯಾಕ್ಸ್‌ಮನ್ ಯೋಚನೆ ಮಾಡಲಿಲ್ಲ. They want to regulate it by means of controlling it through licence. ವೆದಲು higher stakes were involved. ಈಗ ಇದು ಆಕಾಡೆಮಿಕ್ ಇಂಟರೆಸ್ಟ್ ಆಗಿದೆ. ಪ್ರೈಜ್ ಕಾಂಪಿಟಿಷನ್ ಸಿಂಪಲ್ ಮಾಡಿದ್ದೇನೆ. ನಾವು ನಮ್ಮ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟುಮಾಡುವಾಗ we have taken the opportunity to bring it into line with the provisions contained in the central Act.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಇದನ್ನು ರೂಲ್ಸ್ ನಲ್ಲಿ ಸೇರಿಸುತ್ತೀರಾ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಕನ್‌ಸಿಡ್‌ಮೆಂಟ್ ಆಗಿ ರೂಲ್ಸ್ ಮಾಡುತ್ತೇವೆ.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—Whether it is consistent or not with the Central Act, ಇದನ್ನು ರೂಲ್ಸ್‌ನಲ್ಲಿ ಪ್ರೋವೈಡ್ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆಯೋ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—Old position restore ಮಾಡಿದರೆ ಇನ್‌ಕ್ಯಾಸಿಟ್ಯಂಟ್ ಆಗುತ್ತದೆ ಈ ದೃಷ್ಟಿಯಿಂದ ತಪ್ಪು ಅಮೆಂಡ್‌ಮೆಂಟ್ ಅನಾವಶ್ಯಕ.

Sri U. M. MADAPPA.—Then I withdraw the amendment.

(The amendment was by leave withdrawn).

12-30 P.M.

Mr. SPEAKER.—Clause 2. The question is :

“That Clause 2 stand part of the Bill”

The motion was adopted.

Mr. SPEAKER.—Clause 3. There is an amendment. It does not survive. If the Hon'ble Member wants to make any remark regarding clause 3 he may do so; but, his amendment does not survive. I refer to rule 143 and I have disallowed it.

Sri V. SRINIVASA SHETTY.—Sir, I wanted certain clarification. But, I am prepared to accept to a certain extent the explanations of the Hon'ble Minister. Clause 4 is : ‘In clause (b) of sub-section (1) of section 12 of the principal Act, the words and figure for which a licence has been obtained section 8,’ shall be omitted..... The effect of this is even from those who have not obtained licence the collection of tax is legal. So, this amendment may affect the collection of tax. So, I do not move it.

Mr. SPEAKER.—I have disallowed it. The question is :

“That Clause 3 stands part of the Bill”

The motion was adopted.

“Clause 3 was added to the Bill.

Mr. SPEAKER.—Clause 4. There is an amendment which also I have

disallowed, because it is of a negative character. The question is :

“That Clause 4 stand part of the Bill”

The motion was adopted.

Mr. SPEAKER.—Clauses 5 and 6. the question is :

“That Clauses 5 and 6 stand part of the Bill”

The motion was adopted.

Clauses 5 and 6 were added to the Bill.

Mr. SPEAKER.—Clause 7. There are certain corrections. Instead of 1951 wherever it appears, it shall be 1957. With that correction, it may be read. The question is :

“That clause 7 stand part of the Bill”

The motion was adopted.

Clause 7 was added to the Bill.

Mr. SPEAKER.—Clause 1, the Title and the Preamble. The question is :

“That Clause, 1, the Title and the Preamble stand part of the Bill”

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill

Motion to pass.

Sri T. MARIAPPA—Sir, I beg to move :

“That the Mysore Lotteries and Prize Competitions Control and Tax (Amendment) Bill, 1957, be passed”

Mr. SPEAKER.—The question is :

“That the Mysore Lotteries and Prize Competitions Control and Tax (Amendment) Bill, be passed”

The motion was adopted.

Mr. SPEAKER.—Before we rise, I would like to know when we should meet on Monday—whether we should meet at one o'clock or in the morning. The point is, members may like to go to Mysore and so I want to know whether they would like to meet in the morning. So far as the election is concerned, the time would be similarly adjusted.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಸ್ವಾಮಿ, ಮಧ್ಯಾಹ್ನ ಒಂದು ಘಂಟೆಗೆ ಸೇರುವುದೇ ಒಳ್ಳೆಯದು; ವೈಸೂರಿಗೆ ಹೋದವರೂ, ಸೋಮವಾರ ಅಷ್ಟು ಹೊತ್ತಿಗೆ ಹಿಂತಿರುಗಬಹುದು.

Mr. SPEAKER.—There is no time because there are other elections also. So, if members agree that we should sit in the morning, similar change would be done with regard to election programme also. We can hold election between 9 A.M. and 11 A.M. on 30th September if the House agrees to meet in the morning.

Sri J. H. SHAMSUDDIN (Honawar).—Sir, some of the members who are nearby must have gone to their places or they may leave with the impression that we are sitting from one o'clock. If we sit in the morning they may not return at the time of election; they may come at 12 noon. So, they will not have the opportunity to take part in the election.

Mr. SPEAKER.—So, we shall sit from one o'clock. The House will now rise and meet at One o'clock on Monday.

The House adjourned at Thirty eight Minutes past Twelve of the Clock to reassemble at One of the Clock on Monday the 30th September 1957.